CASES REPORTED THIS WEEK.

The Solicitors' Journal and Reporter.

LONDON, JUNE 11, 1887.

CURRENT TOPICS.

WHEN WE SUGGESTED in January last the main outlines of the festivities of this week, we expressed an earnest hope that the entertainment would be carried out in a manner worthy of the occasion which gave rise to it. That hope has been fully realized, and the future historian will have to chronicle the solicitors' celebration of the Jubilee as among the most successful organized by any class of the community. But there is another more important aspect of the matter. The result of the entertainment, judging from the expressions which have reached us, has been to evoke a cordiality of feeling on the part of the country solicitors towards the Incorporated Law Society and their London brethren which has not before existed. And this has occurred at a time when it is most essential that solicitors throughout the kingdom should be prepared to act in unison, and that the hands of the society should be strengthened in every possible way. We think that the guarantors to whose generosity the entertainments are due may well feel that their expenditure has been fully rewarded.

THERE IS REASON to believe that the order permitting the courts and offices to be closed on the Queen's Jubilee day, will be carried out by a total cessation of business in all the courts and offices on the 21st inst.

THE RULE relating to petitions presented in the district registries of Liverpool and Manchester (which we printed last week) will introduce the registrars of those districts to a practice which, to them, will be entirely new. There are sundry regulations scattered over the rules of court relating to the time to elapse between the presentation and the hearing of various classes of petitions and to the requirements to be complied with on presentation. These, together with the practice adopted by the chancery registrars with regard to petitions, will have to be carefully studied in order to avoid complications.

MR. MARKBY hit the nail on the head when he remarked, in his address on Tuesday, that what is to be apprehended with regard to the question of land transfer is not factious opposition by the legal profession, but that the pressure put upon the Government for a "large and liberal" measure of land reform may lead to the hasty passing of a measure "which will only add another to the numerous failures upon this subject." It is this apprehension which has led us frequently to urge that the Bill now before Parliament should be held over till next year, and that voluntary registration should be tried in each district before compulsion was attempted, and to suggest that combined action should be taken to secure postponement of compulsion. As regards the first matter, the information which reaches us tends towards the conclusion that the course we have urged will be adopted. And we have some reason to believe that, even if the Bill should scrape through this session, no steps will be taken to form any registration districts until after the passing of the consolidating Bill next session. It is as well to speak plainly, and therefore we say that the credit of the Lord Chancellor is involved in the success of the measure; but that success will depend on the extent to which a Bill—hastily prepared and, even after amendments amounting in bulk to a fresh Bill, still full of imperfections—is deliberately and carefully criticized and considered. And we may add once more, as we have said before, that the best thing which could happen would be that the Bill should this session be referred to a Select Committee, and that next session it should be split into two Bills—one dealing with the changes in the law of real property, and the other devoted to registration; both redrafted, and the latter consolidating such portions of the Act of 1875 as it is considered desirable to retain. With regard to the other matters above referred to, we are glad to find that the whole profession is at our back. At the same time, we question the expediency of opposing *ultimate* compulsion after the system has been well tested. The authorities in both Houses of Parliament are, we believe, set on this feature of the Bill, and to resist it is simply running your head against a stone wall. The true course seems to us to be to urge the postponement of compulsion until the system has been thoroughly tried.

THE PAPER read by the president at the meeting on Tuesday enforced and developed the important suggestion which we recently discussed—viz., that the membership of the Incorporated Law Law Society should include every solicitor on the rolls. In one respect the president cleared the way by his statement that the result of a measure making membership compulsory on every solicitor need not impose any serious burden on those who are not at present members of the society; an increase of the fee now paid to the society as registrar of solicitors—which increase need not be of large amount—was, he thought, all that would be requisite, and that increase could be made to constitute membership without any further annual subscription. We understand the suggestion to be that subscriptions *eo nomine* shall be abolished for all members, and that every solicitor, paying an increased fee to the society as registrar of solicitors, shall become a member of the society. That is a proposal the feasibility of which it is difficult to discuss without the data on which it was founded, but we venture to think that before it can be adopted the council of the society will have to reconsider their refusal to set their faces in the direction of pressing for a reduction in the certificate duty. If they could base their proposal for a moderate increase of the registrar's fee on the ground that they were using, and would continue to use, their influence to procure a reduction of the certificate duty, it would obviously have a better chance of acceptance by the two-thirds of solicitors now outside the society. But there are other points besides the question of payment which will have to be settled before membership of the society can be rendered obligatory on all solicitors. What are to be the relations of the Incorporated Law Society and the local law societies? Before all the members of all these latter institutions are made compulsorily members of the London society it would seem that some scheme should be propounded for a closer bond than at present exists between the chief society and the local societies.

ON ANOTHER POINT the President's paper contained matter of extreme value and interest to the profession, relating to the exercise by the society of its disciplinary functions over solicitors. The most prominent point in his statement is the enormous increase which has taken place in the magnitude of these functions in the course of a very few years. The President said that in 1873 there was an average of one complaint a week with regard to the conduct of solicitors, while at the present time the cases presented for the consideration of the Discipline Committee average from thirty to forty a week (including, however, applications for exemption from the preliminary examination and applications relating to unqualified persons). A large part of this increase, of course, is due to the additions made in recent years to the number of solicitors, and to the fact that the remedy by complaint to the Law Society is much more widely known than was formerly the case; but the state of things disclosed by the President affords matter for very serious consideration, especially when coupled with his subsequent statement, that "only those who have served on the Discipline Committee can conceive the number of complaints which are made that a certain class of solicitors allow unqualified persons (usually clerks who have had experience in the office of a solicitor) to practise in their name, on a division of profit or some other arrangement, in which the delinquent solicitor is

interested"; and with the practice to which Mr. Justice FIELD alluded in a case we reported last week of "people practising as solicitors, occupying a position of trust towards the public, with the names of uncertificated and irresponsible persons over the doors," which we have some reason to suppose is not so infrequent as it ought to be. The result of this increase of disciplinary cases is to render the present system of dealing with them altogether too cumbrous. The expense attending the frequent applications to the court has become a serious item in the accounts of the society, and the time of the judges and masters is unnecessarily occupied in hearing the cases. We recently suggested that the functions now exercised by the court should be vested in the society, subject, of course, to a right of appeal, and it will be seen that this course is urged in the President's paper. We think that no one who is acquainted with the manner in which the council have dealt with disciplinary cases under their limited functions can entertain any doubt of the absolute fairness with which a more extended jurisdiction would be exercised, while the gain in prompt removal of unworthy members of the profession, and in the stamping out of unprofessional practice, would be enormous.

MR. JOHN HUNTER'S paper on the Land Transfer Bill travels over the same ground, to some extent, as that treated by the report of the Committee of the Incorporated Law Society, which we discuss elsewhere; but it suggests also the following further considerations, which appear to us well deserving of attention. The old schemes of 1862 and 1875 are almost always spoken of as having broken down owing to the initial difficulties of getting titles onto the register in the first instance, which were, no doubt, very great. But Mr. HUNTER also usefully points out that the difficulties did not cease after a title was once registered, and he gives three instances from his own experience of difficulties in dealing with property on the register that would not have arisen with unregistered property. "The result of this particularity and want of elasticity not only deterred people from putting their titles on to the register, but induced them to take them off. We have pointed out, in our articles on the Land Transfer Bill, that the establishment of the insurance fund may afford the means of enabling the office practice to admit the desired elasticity, and so remove a portion, at least, of these objections. Mr. HUNTER then goes on to consider what appears to him the most likely line of development for practice under the Bill—the possessory title. "As registration is to be compulsory, everyone applying for it will naturally apply for what costs least money and time—namely, a possessory title." With this we do not entirely concur. It is not yet clear that absolute titles will not be granted under the new system on sufficiently easy terms to induce landowners (who are compelled to incur *some* expense) to add a little more in order to get a greatly superior article. The large inroads now made on the theory of the "absolute title" are next considered. These are: "That a person with a certificate of an absolute title may, if he is first registered owner, have to pay compensation to a former dispossessed proprietor; or, if he is a purchaser from a prior registered owner, he may have to fight for his title in court, and, if beaten, have to give up his land and take money compensation from the insurance fund." An attempt is then made to estimate the extent of probable mischief likely to result from frauds and errors on the register, and the yearly average loss of £40,000 stated to be suffered by the Bank of England from similar causes is cited in illustration. We would submit, however, that the estimate thus formed is too high, and that the statistics of the Australian assurance funds (quoted *ante*, p. 407) form a more trustworthy guide; our reasons for that opinion will also be found in the same place. The very sensible suggestion is added that, as "the Bill practically abandons the attempt to confer an absolute title, it would be an improvement if, in this respect, the wording of it were made to correspond with the fact, and the principle of a guaranteed title be substituted in name for an absolute title." Mr. HUNTER does not overlook the question—really by far the most important permanently, though too frequently lost sight of in view of the more obviously pressing difficulties involved in first registrations—of registered transfers. "The Bill contains no new provisions as to registration of transfers, but the regulations now in force as to this branch of the business will have to be altered as much as the requirements on first registration are proposed to be altered, or they will break down under the weight of business." Supposing a central district conterminous with the Metropolitan police district, and proceeding on the average shewn by registrations of deeds in Middlesex, there would be in that office alone about 100,000 dealings to register per annum—over 300 in each working day—independent of first registrations, so that rules which may have worked without difficulty "when the documents to be registered were one or two in a week will cause a hopeless block when transfers have to be registered at the rate of hundreds a day." It may be doubted whether one or two deeds a week are all that the present office has to register—two or three a day would, we believe, be nearer the mark—but the general force of the observation remains nevertheless unshaken.

WE DISCUSS elsewhere the careful and able report of the Committee of the Incorporated Law Society on the Land Transfer Bill, also Mr. HUNTER'S paper; but we may here draw special attention to the replies of the country law societies to the queries addressed to them by the committee. Stated briefly, the general opinion appears to be in favour of the scheme of the Bill, assuming that registration of title is to be adopted; but three-fourths of the replies are against compulsion. There is a general apprehension that the mass of work falling on the registries will be so overwhelming as to cause intolerable delay unless the districts are small and the local knowledge of practising solicitors is utilized. On the subject of the confirmation of titles opinion is divided, but generally adverse; and that the plan of settling boundaries will not work well is the opinion of 11 against 1 "yes" (Sunderland) and 1 "yes, but with doubt." With regard to the insurance fund opinion wavers, but there seems to be a general impression that the premiums proposed to be charged are too high. Strong objection is taken to the composition of the Land Transfer Board, and to vesting the power of making rules in the Lord Chancellor alone. As to the proposed changes in the law of real property, there are only 3 noes out of the whole set of 21 answers to each of 3 questions put. Opinion is practically unanimous that registration must involve increased cost and delay. The Birmingham Society remark that there are about 5,000 sales and mortgages in a year in their town, of which four-fifths are under £1,000 and more than half under £500, and that the additional cost and delay will be felt to be oppressive. As regards first registration this must necessarily be true, and our readers will find in a previous issue of this journal (*ante*, p. 407) an approximately accurate estimate of the increased costs likely to be incurred. But whether it will be so in the case of dealings after first registration depends on the question how far the whole work of transfer will be done in the office, and *on the remuneration to be allowed to solicitors*. The important question is whether solicitors are to be sacrificed to avoid clamour as to the office fees. On this last question, to which we drew attention on the introduction of the Bill, we find no reference, either in the report of the committee or in the analysis of the replies of the country law societies, further than the suggestion in the former that the solicitor's remuneration should be fixed by the "Tribunal" under the Solicitors' Remuneration Act. Delicacy in pressing personal considerations of this kind is commendable enough up to a certain point; but, having regard to the Lord Chancellor's condemnation, in his speech at the first banquet, of the "canting view about men being absolutely regardless of their own interests," is it not time that solicitors should begin to interest themselves somewhat in the question what their remuneration is to be on dealings with land after the first registration? We are glad to find that Mr. B. G. LAKE, whose labours in connection with the preparation of the report deserve the gratitude of the profession, is apparently fully alive to this question. While expressing, at the Freemasons' Hall, a politic belief that the Lord Chancellor did not intend to alter the position solicitors at present occupied, he intimated that the council must "press very earnestly" that solicitors must not be interfered with by the new system. Mr. LAKE no doubt knows as well as we do that the strength of the politic belief is not such as to warrant any diminution of the earnest pressing. We venture to say that, *as matters stand at present*, the probable result to solicitors of the passing of the

Land Transfer Bill will be, first, a considerable increase of profits, but subsequently a most unreasonable and unnecessary diminution.

SOME SURPRISE will in all probability have been occasioned by the ruling of Mr. Justice BUTT in *Gornall* v. *Mason* (12 P. D. 142). In an action for revocation of the probate of a will, granted about seven years ago, the defendant was unable to produce one of the attesting witnesses, notwithstanding that every effort had been made to find him. Mr. Justice BUTT thereupon admitted, as evidence of execution and capacity, an affidavit which had been made by the missing witness in 1879 in support of the probate in the district registry, basing his decision upon R. S. C., 1883, ord. 37, r. 1, which empowers the court or judge "at any time for sufficient reason" to order that "the affidavit of any witness may be read at the hearing or trial." No order had been made for taking any part of the evidence by affidavit, and it was argued, in opposition to the admission of the evidence, that even the death of the witness would not have rendered his affidavit admissible, and that the rule was applicable only to an affidavit made during the progress of an action; but the learned judge, while feeling "great doubt and hesitation," expressed "a strong feeling" that, after so long an interval, it would be "a great injustice" to exclude the affidavit. It will be remembered that the proviso at the end of the rule gives the opposite party power to exclude any such affidavit when the witness "can be produced" for cross-examination, and it can scarcely have been contemplated by the framers of the rule that an affidavit made for a special purpose should be received as evidence without either previous notice or an opportunity for cross-examination.

A SOMEWHAT STARTLING statement as to the legal effect of a Bank Holiday was made a few days ago by a metropolitan police magistrate, who is reported to have declined to grant a summons against an apprentice refusing to work on Whit Monday, and to have laid it down that no apprentice was compellable to work on a Bank Holiday. The Bank Holidays Act, 1871 (34 & 35 Vict. c. 17), deals entirely with banks and banking business, the preamble reciting that "it is expedient to make provision for rendering the day after Christmas Day and also certain other days Bank Holidays, and for enabling Bank Holidays to be appointed by royal proclamation." The only part of the statute which appears to contain any enactment of a general character is section 3, which provides that "no person shall be compellable to make any payment or *to do any act* upon such Bank Holiday which he would not be compellable to do or make on Christmas Day or Good Friday"; but as the last clause of the section provides for the "doing such act" on the following day, the section seems to apply only to acts to be done by holders of bills of exchange and promissory notes. This Act was amended by the Holidays Extension Act, 1875 (38 & 39 Vict. c. 13), the preamble to which recites that it is expedient to extend certain of the holidays named in the principal Act "to the Customs, bonding warehouses, and docks," but in no way deals with ordinary employers.

THE APPEALS set down in the list for the Trinity Sittings number 148, of which eighteen are interlocutory. They comprise sixty-three appeals from the Chancery Division, eight from the Chancery of the County Palatine of Lancaster, sixty-nine from the Queen's Bench Division, seven from the Probate, Divorce, and Admiralty Division, and one Bankruptcy appeal. At the commencement of the last sittings the appeals numbered 169, and a year ago 178.

THE CAUSES in the lists of the chancery judges comprise 146 before Mr. Justice KAY, 170 before Mr. Justice CHITTY, 228 before Mr. Justice NORTH, 168 before Mr. Justice STIRLING, and 80 before Mr. Justice KEKEWICH, making a total of 786; the total having been 761 at the commencement of last sittings, and 707 a year ago. There are 1,152 causes in the Queen's Bench Division list, and 235 in that of the Probate, Divorce, and Admiralty Division.

THE REPORT OF THE COUNCIL OF THE INCORPORATED LAW SOCIETY ON THE (AMENDED) LAND TRANSFER BILL.

THIS very important document is, to a considerable extent, a repetition of a report drawn up by the society at the request of the Lord Chancellor shortly after the introduction of the original Bill. The present report is, however, a more complete one in two or three ways than the former; it is fortified, for instance, by the opinions of twenty-one provincial law societies which were not to hand when the original report was sent in; it extends to the large body of amendments which have been introduced in Committee of the House of Lords, and the introductory portion has been considerably amplified. It was adopted by the council on the 2nd inst.

The introductory portion addresses itself to three principal points—1, Is compulsion necessary? 2, How will it affect the expenses of next sales, &c.? and, 3, Would not guaranteed title be a better system than indefeasible title? With reference to compulsion, the council point out that, "if a system of registration cannot be worked except under pressure of compulsion, it will be because it has not been made suitable to the requirements of the country." That this is not a merely obstructive criticism appears by the fact that, after suggesting a definite line for improvement, the council commit themselves to the following weighty statement:—"They believe that under such a system landowners would readily avail themselves of the many advantages incident to registration, and that, as in the case of the Australian colonies, it would be found unnecessary to resort to compulsion." It would be difficult to exaggerate the importance of this statement, coming from a body so influential and so well qualified to form an accurate opinion.

In estimating the expenses of next sales under the compulsory clauses, attention is drawn to some remarkable facts (to which we have several times referred) which were laid before Lord Cairns in 1874 respecting cheap country conveyancing, and which he mentioned in the House of Lords as one of the reasons why his Bill did not resort to compulsion. He also afterwards repeated them to Mr. O. Morgan's committee in 1879, from which latter evidence the council quote four of the most material passages. "A number of solicitors shewed me that there was going on in various populous parts of England a transfer of very minute portions of land in very great quantities and at a very small expense. Some of the solicitors told me that they had cut up a piece of land into 300 or 400 parcels to build small houses for working people on; those pieces of land were bought on the credit of the solicitor who had them for sale, and the charge in some cases would be as low as 10s., and in many cases as low as 20s." Compulsory registration will have to be very nicely adjusted in order to prevent its being a formidable obstacle to the completion of such transactions as these; while again, as the report points out, in the case of large estates the necessary description of the property by means of a map will, even if nothing else were required, be a rather formidable item in the expense of each next dealing or devolution.

As to the "guaranteed" *versus* "indefeasible" title, the distinction is one which has only recently been very clearly brought out, but when once stated its significance is obvious. It has been explained in these columns in a review of a recent work (*ante*, p. 104), and the council strongly urge the abandonment of the so-called indefeasible system, and the adoption of the "guarantee" system, somewhat after the model presented by the Australian Registration Statutes. They urge this on account of two main practical advantages of the latter system—namely, that it dispenses with the need of publicity on first registrations, and that it enables the registrar to "act on the investigation and certificate of solicitors acquainted with the applicant's title—he would, in fact, act as the solicitor for a purchaser acts at present." These two features have not, it is true, been put in practice in Australia, but the system admits of their introduction, and, under the special circumstances of the case, they would be of conspicuous value in England.

The report then goes through the Bill in considerable detail, being designed apparently to serve as a summary of its main provisions for the guidance of those who have not sufficient leisure to master the measure for themselves—a task which, it should be observed, requires the careful perusal of two bodies of legislation

hitherto little studied—namely, the Act of 1875 and the Rules of 1876—before it can be rightly appreciated. As, however, we have already attempted the same task, we do not propose to follow the council in their detailed observations, but pass at once to the list of principal suggestions, in which the leading criticisms of the Bill are summarized, adding thereto such allusions to, or extracts from, the previous detail as seem appropriate.

1. Compulsory registration is unjust to landowners, and if the system were made workable and inexpensive, would be unnecessary.

2. Guaranteed title is preferable to indefeasible title. In fact, it is pointed out (on the preceding page of the report) that parts of the insurance scheme concede the principle of the former, though the name of the latter is retained.

3. That the board should be selected from barristers and solicitors, and be presided over by a judge or person of equal position. The provincial law societies are unanimous on this point also.

4. That the outlines of the arrangement for branch offices and land transfer districts should be defined in the Bill. On this we may be permitted to remark that, assuming the first establishments and appointments to be experimental, it may, perhaps, be better to have even this matter independent of legislative enactment in case of mishap.

5. That an interval of not less than six months should be allowed between the issue of rules and the incidence of compulsion. By way of shewing that this suggestion, though apparently a trite one, is not unnecessary, allusion might be made to the last notable issue of Consolidated Rules and Orders, which, if we remember rightly, came into operation just three days *before* they were published.

6. That the duty of registration should be thrown on the grantee, and not, as proposed, on the grantor. In this respect the report coincides, as far as we can learn, with a universally-expressed opinion.

7. That provision should be made to relieve a purchaser from notice of the trusts of the settlement where the proprietor is registered as "tenant for life."

8, 9. That confirmations of titles would be open to abuse, and that the determination of boundaries has not yet been made satisfactory. We have ourselves dwelt upon this in an earlier issue (p. 392). It has also been pointed out in recent works how the whole difficulty of boundaries can be removed by simply "guaranteeing" them, without any publicity, on the same evidence, and no more, than purchasers now take on sales.

10. That inasmuch as landowners are compelled to register, and therefore incur a risk which, as the Bill assumes, they would not incur voluntarily, the cost of insurance against that risk should not be thrown on them, but on the country. At any rate, it would appear that, as the first registered proprietor does not obtain the full benefit of registration for himself, the moment of contribution to the insurance fund ought to be deferred until somebody does obtain this—namely, till the occasion of the first transfer for value after first registration.

11. That the enforced contribution to an insurance fund will largely add to the cost of registration, and would, if registration were optional, be unnecessary. This latter assertion we question. The function of the insurance fund is to enable the registrar to proceed in cases of doubt. Cases of doubt must continually arise, and, unless there be an insurance fund, their occurrence must operate as a continual obstacle to the transaction of business in the registry on the same terms of swiftness and ease as is now adopted in private dealings; it forms, in fact, the only possible official substitute for that convenient practice of "chancing it" by which private persons habitually facilitate the conduct of their affairs, with results on the whole satisfactory.

12. That if an insurance fund be established, any injured proprietor should at once have a direct claim against the fund, not, as appears to be intended by (amended) clause 20 (1), only after exhausting all legal remedies available against private persons liable—in which case, moreover, besides the trouble and delay, it does not appear that he would have any right to indemnity against his legal expenses so incurred.

13. That the right of an aggrieved proprietor should be to full compensation; not merely to the cost of the land, irrespective of improvements—or at least, as suggested in an earlier part of the report (p. 20, 21), that a proprietor improving should always have power to increase his insurance by filing a declaration of increased value and paying an additional premium.

14. That the power to make rules should not be vested in the Lord Chancellor alone, but that rules should be framed by the Land Transfer Board (this means, of course, the board constituted as above suggested (3)) and be issued by the Lord Chancellor on their advice. "The whole character of the measure and the greater or less success of the proposed scheme, will depend to a very great extent upon the rules issued from time to time for the guidance of applicants and of the board, and it is not too much to say that the framer of the rules can greatly extend or materially diminish the scope and effect of the Bill when passed into law" (p. 22). On this head the answers of the provincial law societies are unanimous also.

15. That the devolution on death of real and personal estate should either be left as at present or assimilated for all purposes. It has been supposed that the Bill was to effect this as drawn; but, as is pointed out earlier in the report (p. 25), the life estate in the whole residue of real estate given to a surviving wife or husband is by no means the same thing as the interests in personalty conferred on the same persons by the existing law, and is open to very serious objection. Though the whole realty is given them for life, "no obligation is thrown on surviving parents to maintain the children (if any) out of the income. On the intestacy of the husband his widow would be entitled to the income whether she were the mother of his children or not, and whether she were married to a second husband or not, and the children might be left destitute." It is also pointed out that the words "*pari passu* with personal estate" in (amended) clause 41 (1) would greatly fetter the discretion of the representatives, and it is recommended that they should be struck out.

16. That, without limiting the right of any proprietor to transact in person his own business, the conduct, for fee or reward, of legal business connected with land should, as heretofore, be intrusted to solicitors. This suggestion is mainly due to the council's apprehensions arising out of the passage in clause 53 (4) as to the authorization of "officers" to be employed "on behalf of applicants," and to be "remunerated by the payment of such fees by the parties as may be prescribed"—to which passage we also drew attention in our last week's issue. Its importance to solicitors—and, it may be added, to the public also (for whose protection the present exclusive rights of solicitors have been established)—is very great. Of course, it may be (as we pointed out) that the clause is not intended to interfere with the existing rules as to legal work, but is meant to be applied only to the surveying department; but, however this may be, it seems that the council are doing no less than must reasonably be expected of them by the profession in suggesting that some distinct limitation should be inserted in the Act to regulate the scope of so wide a general power. "If the committee have correctly appreciated the intention of the proviso cited, they feel that, on this point, every possible opposition should be offered to the Bill."

We printed last week the report of the Law Association, which contained a passage regretting the death of (among other members of the association) Sir Richard Nicholson. This unfounded statement in the report occasioned anxiety among Sir Richard's numerous professional friends, many of whom, however, had fortunately the opportunity of seeing him present in the flesh at the first banquet of the Incorporated Law Society this week.

It is stated that a receiving order has been made against Mr. Arthur Octavius Bayly, solicitor, of Bucklersbury, well known in yachting circles as the Vice-Commodore of the Royal Albert Yacht Club, Southsea. It is understood that a private meeting of his creditors was held in March last, when the liabilities, secured and unsecured, were estimated at £67,000.

The tenth annual meeting of the Society for the Protection of Ancient Buildings was held on Wednesday afternoon in the old hall of Staple Inn, Holborn, when a paper, entitled, "The Sacredness of Ancient Buildings," was read by Mr. Frederic Harrison. The chair was taken by Mr. William Morris, and there was a numerous attendance. The Prudential Life Assurance Co. is now the owner of Staple Inn, and has announced its intention to preserve it without alteration. The old hall of the Inn has been cleansed and put in repair, and, with its ancient roof, its fine oak wainscotting, and its windows rich with many-hued heraldic devices, it constitutes a most interesting relic of Old London. Until the 24th of June the hall will be open for the inspection of the public, and after that date it will pass into the occupation of the Institute of Actuaries.

THE JUBILEE FESTIVITIES.

The arrangements for the celebration of the lawyers' Jubilee festival may be described as the result of a succession of "happy thoughts." It was a happy thought to seize upon the Jubilee year to return the hospitality which for many years has been bestowed on the London members of the Incorporated Law Society by the country solicitors; it was a happy thought to fix the date of the festivities early in the season, before the great mass of celebrations take place, and at a time when London is most attractive both as regards natural features and amusements; it was a bold and, in many respects, a happy thought to appropriate the great hall of the Royal Courts for the banquets; it was a happy thought to secure the presence at the first banquet of a Lord Chancellor who has introduced a Land Transfer Bill upon which important suggestions have been sent in by the council of the society. But the happiest thought of all was to bring together at such a time as the present the London and country solicitors, and to afford them opportunities for discussion and free interchange of sentiments on the momentous question which is now before the profession.

Whatever else may be said, it must be admitted on all hands that, in point of magnificence, the entertainments were worthy both of the great body by whom they were given and of the occasion to which they owed their origin. That means should have been provided by private subscriptions for festivities on such a scale does the highest credit to the public spirit of the London solicitors, or, rather, of the 600 guarantors among them. Their liberality in placing something like £7,000 at the disposal of the grand committee was well seconded by the indefatigable exertions of the executive committee and officers of the society. It is bare justice to them to say that in the matter of careful and elaborate arrangement nothing was wanting. We believe it is considered by the most experienced managers to be no ordinary feat to provide a dinner for nearly 800 guests; to get them into their places without confusion, and to insure the proper carrying out of the programme. But when to these difficulties there are added those arising from a hall and offices not designed and never before used for the purpose, some idea may be formed of the formidable obstacles in the way of success. We think that the committee are to be heartily congratulated on the way in which they were overcome, and Mr. Williamson and his staff, to whom the successful carrying out of the arrangements is due, have earned the gratitude of the profession.

The banquets were singularly successful considering the circumstances under which they were held. Mr. Street's cathedral nave has, no doubt, in some respects once more proved its want of adaptation to any useful purpose, but its chief merit, floor space, happened to be the one thing essential for the recent banquets; and it must certainly be said that the lofty proportions of the hall, if they dwarfed the decorations and rendered the speakers inaudible, imparted a dignity and impressiveness to the occasion which no other available building could have done. There was, too, an obvious appropriateness in holding a great lawyer's festivity in the very midst of the courts. There were, of course, the usual small misadventures to particular guests occurring in the best managed huge dinner, and from which even the feasts of the Corporation of London are not exempt. But with the exception of the extraordinary difficulty of hearing the speakers, which reduced the reporters to a state of absolute despair, and resulted in the loss to the world of several presumably valuable and one apparently very amusing speech, we venture to say that never were dinners of such magnitude given with so much general satisfaction.

The after dinner speeches were, generally speaking, worthy of the occasion. It is universally admitted that nothing could have been better than the president's pithy and well-turned utterances at the first banquet. They were in every case examples of the right thing said in the right way—appropriate sentiments couched in graceful and terse language. The Lord Mayor's high compliment to the president with regard to this matter was certainly well deserved. Lord Esher (who had a very hearty reception) on this occasion kept out of view that vein of cynicism which, strange to say, one of the kindliest of men often delights to exhibit in after dinner speeches. In the course of an admirable address he spoke of the sacredness with which solicitors observe the confidence reposed in them, and concluded by remarking that he was "there on behalf of her Majesty's judges to shew the respect which they felt, and which everybody felt, for the profession to which the great majority of those present belonged"—an observation which no doubt was read next morning with sympathetic delight by a certain learned judge of the Chancery Division. Perhaps it would have been as well if the list of toasts had been abridged, so as to obviate the necessity for cutting out so much of the vocal music; but we imagine it was difficult for anyone beforehand to conceive the utter unfitness of the hall for public speaking.

One of the most remarkable triumphs of organization and energy was the removal of all the fittings and decorations from the Central Hall on Monday night. The banquet was over by about eleven o'clock; the workmen instantly commenced operations, and by 4.30 on Tuesday morning every vestige of the banquet was removed, so that when the courts met for business at 10.30 not a trace of the festivities remained.

The strange operations which had been in progress for some days at the Chancery-lane front of the Law Institution betokened extensive and elaborate preparations for the ball on Tuesday evening. As the event is now over, and it is too late for anyone to apply for an interlocutory injunction, we may venture to suggest that we have failed to discover in the society's charter any authority for the construction of huge wooden projections on that gloomy façade—more especially of one so designed as vividly to suggest a series of valuable, but usually less conspicuous, domestic arrangements. These unsightly structures were necessary to provide stairs for the downgoing throng from the supper room. Every part of the large building, including even the secretary's offices, was made available for the purposes of the evening, and the barest rooms had been more or less elaborately decorated for the festivities. How many of those present ever dreamt, whose passing weary hours in the examination rooms, that they would one day see the place given over to a ball? How many of those who entered the profession a quarter of a century or so ago can have then imagined that a day would come when a Lord Chancellor, an ex-Lord Chancellor, a very learned Lord Justice, and two or three of the judges, would be seen at a ball given by solicitors to solicitors? Of the ball itself everyone seems to speak in terms of satisfaction, despite the crush occasioned by the enormous number of guests, and the laments of certain unhappy men who had to go away without their hats and coats, of which, however, they obtained possession on the following morning.

The performances at the various theatres were apparently generally enjoyed, but it was remarkable how often the particular theatre allotted to a guest happened not to be the one he particularly desired to visit. Quite a brisk exchange of tickets was set up, and it is to be hoped that ultimately everyone got to the play he wanted.

THE FIRST BANQUET.

The festivities opened with a banquet on Saturday evening in the Central Hall of the Royal Courts. The floor space of the great hall was carpeted, and a long table, stretching, on the west side, from the south to the north end, and raised on a dais, was appropriated to the principal guests and the members of the council. Twenty-three tables were placed at right angles to this table for the accommodation of the other guests. In the bays of the hall on either side were grouped palms, flowering shrubs, and plants, and the tables were profusely decorated with cut flowers. The hall was effectively lighted with the electric light, which behaved well, as a whole, on the occasion of both banquets. On the first evening the nine or ten arc lights which hung high overhead burned brilliantly throughout the evening except in two instances, and in one of these the lamp, after remaining extinguished for a time, burst into brightness, apparently upon its own accord; and on the second evening only one of the lamps refused to perform its proper functions, but the hall was so brilliantly lighted that the loss of illumination thereby occasioned was scarcely noticeable. The electric light was certainly prominent for one useful quality, for the hall remained in a delicious state of coolness each evening. The band of the Royal Artillery was stationed in the South Gallery, and discoursed charmingly throughout the banquet and until the toast of "The Queen" had been responded to, when the vocalists appeared on the scene. Behind the chairman on each occasion were a couple of trumpeters, clad in the regulation brilliant scarlet and gold tunics, and these heralded each toast by a blast on their silver instruments. The difficulty, or, rather, impossibility, of hearing speakers, except over an extremely limited area, not unnaturally was the cause of a good deal of noise, arising from the conversation of the 800 guests who had given up the endeavour to listen to the speakers in despair. And this accounted also for the crowd which gravitated hither and thither towards the speakers in the hope of hearing the many eloquent speeches which the lengthy toast list permitted. The guests at the lower tables entered the hall from the Strand entrance, where some, perhaps unavoidable, confusion occurred both at the coming and going, and especially in the latter instance, when there was a somewhat severe struggle for hats and coats. The guests at the upper table entered the hall by the Carey-street entrance, and were met in the vestibule, at the top of the flight of stairs, by the respective chairmen on the two evenings. The most effective piece of decoration was in the North Corridor, entering from Carey-street, which was reserved for these guests. This was converted, through all its length, into an exquisite bower of palms and flowers; the floor was carpeted with red baize, and the lighting was managed by incandescent electric lights in different coloured glasses dispersed over the numerous mouldings of arches. The corridor leading off at right angles from the main corridor towards the refreshment rooms was similarly decorated, and provided with chairs and tables for after-dinner coffee. The effect of the vista from the Carey-street entrance, ended by the statue of Mr. Field and the view of the great hall, was most striking and charming. The architectural features of the corridor lend themselves specially well to the purposes of floral decoration, and probably never was

it more effectively employed. The gates of this bower of bliss were, on the occasion of the first banquet, guarded by a janitor of peculiar vigilance, and, if report speaks correctly, the most important personage of the evening, arriving on foot, was refused admission until his credentials had been duly attested. The principal guests arrived with more than ordinary punctuality, amongst them being the Master of the Rolls, the Lord Advocate, the Lord Mayor of London (wearing his glittering jewel of office), the Lord Mayor of York (in Court dress, wearing the massive gold chain of the mayoralty), Professor Tyndall, Mr. Henry Irving, Sir J. D. Linton, Mr. Walter Besant, and a host of other celebrities. The Lord Chancellor did not enter by this door, but came direct into the hall by a private way from his own rooms. The principal guests, after being received, occupied the North Gallery, and looked down upon the arrivals who were quickly filling the hall below. At a few minutes after seven the Chairman took his seat, and the dinner on each occasion occupied about a couple of hours. The arrangements, considering the vastness of the entertainment, for serving the dinner left little to be wished for. The viands were prepared in the kitchens beneath the hall, and were brought by the jury rooms through the various arched entrances which lead into the hall on either side. Mr. Elliott was the contractor, and the wines were furnished from the cellars of the Law Society Club.

The chair was taken by the president, Mr. HENRY WATSON PARKER. Among the guests present were the Lord Chancellor, Lord Esher, Master of the Rolls, the Lord Mayor, Lord Chelmsford, G.C.B., Lord Justice Lopes, Lord Hobhouse, Rear-Admiral Moresby, Right Hon. Sir H. S. Keating, Right Hon. Sir N. Couch, Mr. Justice Grantham, Mr. Justice Manisty, the President of the Birmingham Law Society, the Judge Advocate General, Sir R. Nicholson, the Attorney-General, the Lord Mayor of York, Sir R. Wisdom, K.C.M.G., the Solicitor-General, the Hon. Judge Windeyer, the Vice-Chancellor of Cambridge, the Ven. Archdeacon of Middlesex, Mr. W. Markby, D.C.L., Sir A. K. Stevenson, K.C.B., the Recorder of London, Canon Fleming, the President of the Liverpool Law Society, the Assistant-Judge, Sir James Paget, Bart., the President of the Irish Law Society, Sir R. N. Fowler, the President of the Royal College of Surgeons, Sir A. K. Rollit, M.P., the President of the Manchester Law Society, Sir F. Bramwell, K.C.B., the Solicitor to the General Post Office, Sir J. Monckton, the Vice-President of the Leeds Law Society, Judge Bagshawe, Rev. Dr. Wace, the President of the Institute of Civil Engineers, Prof. Tyndall, the President of the Bath Law Society, Sir James Linton, the Master of the Merchant Taylors' Company, Mr. Henry Irving, Sir Henry Isaacs, Sheriff of London, Mr. K. Muir Mackenzie, Q.C., Sir George Morrison, Mr. E. E. Baggallay, M.P., the Solicitor of Inland Revenue, the Solicitor of the Board of Trade, and Mr. Walter Besant.

The PRESIDENT, in proposing the health of the Queen, said that in every assembly of Englishmen the first toast which surges in the heart and rises to the lips for expression was that of our gracious Queen. They would honour the toast to-night with redoubled enthusiasm, for they were celebrating the completion of the fiftieth year of her Majesty's happy and memorable reign. When our then youthful Queen first ascended the throne, now fifty years since, the hearts of her people at once went out to her, and from that time to the present the spirit of mutual love which binds the sovereign to her people and the people to her had been manifested with ever-increasing intensity. Might her Majesty long continue to reign over us, and might her throne be preserved to her descendants for ages to come. He would invite them to drink with three times three the health of her Majesty the Queen.

The toast was honoured with great cheering.

The PRESIDENT next submitted the health of the Prince and Princess of Wales and the other members of the Royal Family. He said the Prince and the Princess of Wales devoted their services to the interests of the country. They were ever ready to come forward and assist in every good work of charity or benevolence. He then proposed the health of the Army, Navy, and Reserve forces. We were constantly being told that the army was not in a fit condition, that our great guns burst, and that our harbours and ports are undefended, and that the historic Thames, on the banks of which this great City of London was placed, had no fortification worthy of the name. He hoped that efforts would be made to put the country in a proper position as regarded its defences so that it might be prepared in the event of war.

The Right Hon. Lord CHELMSFORD said he had the distinguished honour to rise in this great and magnificent hall to return thanks for the service to which he was very proud to belong. He had also the privilege to-night of returning thanks for the reserve forces—a national force, of which we were all, as Englishmen, so proud. He could assure those present that the regular forces were proud indeed to be associated with the reserve forces, as they had been on so many different occasions for parade and for manœuvres, and he could assure them that the progress which the reserve forces were making in efficiency and in style and in drill was something very remarkable indeed. They were treading close upon the heels of the regular forces, and he was quite sure, should the occasion arise, and an invasion of these shores, which God forbid, take place, the reserve forces would shew a determined front, and would be found fighting side by side with good effect with those forces which were supposed to have that honour reserved for them. We were all now looking back to the last fifty years during which her Majesty had reigned over us, and it was a curious fact to see that during these fifty years there had been no less than twenty different occasions on which our army had had to take the field in different parts of the world—in Europe, Asia, Africa, and in Oceana, not to mention America if he might mention that excellent little expedition called the Red River Expedition. In all the five parts of the globe that army, through the last fifty years, had been engaged from time to time, and in no less than thirty-two years out of that fifty had some of her Majesty's forces been in the field. He trusted the good reputation which the army had hitherto maintained would continue, and that the stout hearts and willing hands of our soldiers would always be ready in the defence of their Queen and country.

Rear-Admiral MORESBY returned thanks on behalf of the Navy. He felt very proud in returning thanks for the first line of defence, and, in so doing, he could say with truth that England at this moment possesses a navy which is at least equal to two, if not three, of any of the combined navies of Europe. It was quite true that that navy had been produced at a great expenditure, but that expenditure was necessary on account of the transitional state of shipbuilding. It could not be avoided, for it was necessary that one type of vessel should succeed another type before the former type had been fully tried in order that England should maintain her place ready for war and her place as the foremost naval power. But there was one thing in which we were strong now in which we were never strong before, and it was in the mobilization of our naval forces. We were able now at any moment to mobilise our reserves, our pensioners, our *personnel* of the navy in a way in which we had never been able before, thanks to the present efficient Board of Admiralty. He need not say that both officers and men were of the highest type. He believed that they had never been exceeded in this respect, and, therefore, he felt that in returning thanks for the navy, as far as his knowledge went, we might rest assured that the navy was as efficient as it ever had been.

The PRESIDENT said they were honoured this evening by the presence of the Lord Chancellor. It was a great pleasure to the society that the Lord Chancellor had come among them as their guest to-night, and their heartiest acknowledgments were due to him for his kindness. He (the president) was sure that this expression of thanks would be cordially echoed by all who were present. They had been told by a then distinguished member of the Government, when talking last year upon the subject of land law reform, that the Lord Chancellor had ideas upon the subject, and that when the Lord Chancellor had ideas upon any subject those ideas were sure to produce fruit. The Lord Chancellor's ideas had now taken substantial shape, and the country had before it that important measure of land law reform which his lordship had introduced into the House of Lords and was there promoting. His lordship had been good enough to send a print of the Bill to the Council of the Incorporated Law Society for consideration at a very early stage, and to invite any suggestions which the council had to make upon it, and the council had at once set to work to consider that measure, and he (the president) believed a good many members had sacrificed their Easter holidays to its consideration. The result was that a report had been sent into the Lord Chancellor, which he (the president) trusted had been and would be of service to his lordship in moulding and fashioning this great and important measure. As the entire conveyancing business of this country had been for ages conducted practically by solicitors, he (the president) hoped they might claim, without arrogance, to be able to offer valuable advice and suggestions upon any measure which affects that important branch of the law. In doing this their desire was to have regard only to the public weal, and not to their own interest, which must ever be subordinate to the public good, and he ventured to say that whatever measure of land law reform the wisdom of the Legislature should pass would be faithfully, zealously, and loyally administered by that profession to which he had the honour to belong. He gave them the health of the Lord Chancellor.

The health was drunk upstanding, and with three times three.

The LORD CHANCELLOR, who was received with loud and long continued cheering, after referring to the impossibility of making himself heard all over the hall, said:—Mr. President, I cannot be present in this great and wonderful assembly without feeling that pride which you have justly described as proper to the great profession of which we all are in the great majority members. I cannot help thinking that when it is possible for such a hall as this to be filled, as it is, by those whose primary duty it is to administer justice between man and man, it tells not only well for the profession to which we belong, but for the country in which such an exhibition is possible. I confess I was gratified by the mode in which you received the announcement of the toast, not only because I am naturally proud of the high office which it is my privilege to fill, but because I had been informed that the members of my own profession were disposed to regard with a jealous if not with an unfavourable aspect the legislation which I had proposed to the nation. [No, no.] I was delighted, and I am now delighted, to receive such a contradiction as I have received to that allegation, and although, as your president has said, I believe whatever law was passed we lawyers, who by virtue of our profession are loyal subjects, would recognize the fact that our primary duty is to obey and to enforce the law; yet, without professing any canting view about men being absolutely regardless of their own interests, I believe that which makes the law cheaper and more popular is ultimately to the personal advantage of the members of the profession of the law, and if it can be established, as I believe it may, that that which might be compared to the armour of the fourteenth century is inappropriate to the arms of precision of the nineteenth century, and may be cast aside, and that we may regard either land or other subjects of contract as proper to be placed in the market without unnatural or improper restriction, I believe the ultimate result of such an alteration of the law will be no less to the advantage of the country at large than to those who are the professors of the law. I cannot forbear from adding one observation about the advantages of this hall. Its extent and length is such that no human voice can maintain a protracted oration, and that in these times is an advantage the extent and degree of which only a comparatively limited number of us can properly appreciate. One observation I should like to add. You have heard from Lord Chelmsford—and I am delighted to hear in such an assemblage as this,

an assemblage among whom I will venture to say the name of Thesiger must ever be dear—what he has said of those whose hearts beat beneath red coats, what they will do and what they can do on behalf of their Queen and their country. Allow me to add that I believe some of the most important questions which have ever been decided and which have ever been conquered, among the growing questions by which mankind and their interests has been aided and assisted, have been decided in courts of law as importantly as upon fields of battle. And as long as you have brave soldiers, loyal subjects, and bold and courageous lawyers, to fight your battles on fields of battle, and in courts of law, and on ships—although I cannot say much for the beauty of the latter—yet I believe we shall maintain that same position that we hitherto have maintained, not simply by mere brute violence and force, but by the recognition of this great fact which we ought in this hall and in such an assembly to recognize, that in the result and in the end truth and justice will finally prevail.

The PRESIDENT proposed the toast of the Bench and the Bar. He said the independence and uprightness of our judges were essential to the administration of justice in this country, and we could boast that we had a thoroughly upright and independent bench. To quote the eloquent words of a distinguished Lord Justice, used upon a recent occasion, justice is administered in the realms of her Majesty immaculate, unspotted, and unsuspected. There was no human being whose smile or whose frown, there was no Government, Conservative or Liberal, whose favour or disfavour would start the pulse of an English judge upon the bench or move by one hair's breadth the even equipoise of the scales of justice. The bar was the portal by which the bench of judges alone was approached, and the bench was the reward of honourable and successful exertion at the bar. As we venerated and respected the bench, so we honoured and respected the bar from whom our judges proceeded as one of our noblest professions.

The MASTER OF THE ROLLS, who was received with loud cheers, said: I and the other judges here present are here for ourselves and on behalf of all of us to assist in this admirably imagined mode of doing honour to the Queen. We are here not only as guests, but as fellow members of the same profession. It is true that our profession is divided into three divisions, but the profession is one, and we are all, except when on duty, equally members of that one profession. That profession is one of high and peculiar trust. It is peculiar in this, that if any of us betray our trust, unless under the most gross circumstances, those who trust us or those with regard to whom we have to act have no remedy. It is for that reason that we all have resolved that our profession shall be carried out, not merely with honesty, but with the most scupulous and delicate honour. That honour strikes us in different ways. The judge knows of nothing in the profession but what is brought before him in the public court. His honour, therefore, only requires of him that he should spare no pains and no trouble to come to a right decision. The barrister knows of no circumstances in his profession but those which are contained in his brief, but he has a most severe responsibility in determining how much of that which is in his brief shall be disclosed, and that which he thinks right not to disclose in court he is bound in honour never to disclose at all. But a solicitor, from the necessity of the case, is made to know circumstances of the most delicate kind, and if he were to betray the secrets which must be intrusted to him he would in many cases destroy the peace of families, and in others the fortunes of multitudes of people. It is upon that third division of our profession, therefore, that the delicacy of trust of which I have spoken weighs the most heavily, and I am here to-night in order to testify to my most earnest belief and my most earnest conviction that that delicacy of trust is rarely, if ever, betrayed. And I am here on behalf of her Majesty's judges to say that we come here as members of our one and joint profession for the purpose of shewing the respect which we feel, and which everybody feels, for the division of the profession to which the great majority of this company belongs. Fellow lawyers, I thank you for the mode in which you have drunk the health of her Majesty's judges.

The ATTORNEY-GENERAL, who rose amidst great cheering, also responded. He said: It certainly is a very great honour to be allowed to return thanks at this magnificent banquet on behalf of one branch of our profession. This hall has not hitherto served any very useful purpose. Since the day when it was honoured by our most gracious lady the Queen, I do not think it has ever presented such a noble appearance as it does upon the present occasion, and I feel sure that those of the bar who are present to-night will feel that we owe this, as we owe a great many other good things of the profession, to our brethren the solicitors and the Incorporated Law Society. On this occasion, and after what the Master of the Rolls has said, one's mind is naturally taken back to the respective duties with which that branch of our profession is intrusted. As has been truly said, we are all one profession; at the same time the bench, the bar, and the solicitors each have their respective duties. These respective branches, with their respective privileges, their respective duties, have existed now in this country for hundreds of years. There will, I have no doubt, be improvements; there will, I have no doubt, be changes; but I hope none of us will ever be tempted to break down that particular line of distinction of duty which now exists between the solicitor and the bar of England. Every facility for change should be given, so that anyone who feels he will do better in the other branch of the profession should be able to get into it with ease. Let those who are at the bar who feel that they can work better as solicitors have the opportunity of changing; let those who are solicitors and feel that they can get on at the bar—let them have a ready means of change, but do not, in the interests of our great profession, break down those distinctions which have worked so well for centuries. I need not refer to the mutual confidence, the mutual trust that is engendered by the relations which exist between solicitor and client and solicitor and barrister; but I feel sure that the most respected members of every branch of the profession will feel satisfied that it is to the interest of all branches that we should remain as we are at the present time. I feel, and I am sure, that such gatherings as this, though they cannot often take place, will cement still more closely the bonds of friendship which exist, and which ought always to exist, between the two branches of the profession.

The VICE-PRESIDENT (Mr. H. Markby) submitted the health of the archbishops, the bishops, and the clergy of the Church of England. He said that of the distinguished members who held high office in the Church it was not fitting—indeed, it would be as unbecoming as it was unnecessary—for him to attempt to speak in words of praise. Of the clergy and of their labours, ill-rewarded with this world's goods, it was equally unnecessary for him to occupy their time. Whether in the crowded streets or the fever-stricken lanes of large towns, or in the retirement of country villages, their duties were performed with an assiduity which entitled them to high praise, and which made it certain that the toast which he ventured to propose was one which could not be received otherwise than with respectful cordiality.

The Venerable the Archdeacon of MIDDLESEX returned thanks, expressing his pleasure that, in such an assembly as this, the toast had been so ably proposed and so warmly received.

The PRESIDENT gave the health of the Houses of Parliament, observing that the House of Lords was a permanent and a popular assembly, and it owed its permanence and its popularity to the fact that it combined the principle of hereditary succession with a continual infusion into its ranks of the most distinguished commoners drawn from all ranks of society. So it was permanent, so it was popular. They had heard a great deal lately about ending or amending the House of Lords. He ventured to think that this country would never end the House of Lords, and he ventured to think, if the process of amending our Legislature was to be set about, it might usefully commence with the House of Commons, for, although the House of Commons now represented a fully-enfranchised nation, at no period of its history had it been so incapable of getting on with the business of legislation as it was now. The work of legislation in the House of Commons seemed to be paralyzed and destroyed, and he hoped that the procedure in that House would be speedily reformed, and that that House would regain its ancient reputation of being the first deliberative assembly in the realm.

Lord HOBHOUSE returned thanks, observing that he little thought when he saw this hall opened some years ago by the august lady whose Jubilee they were celebrating that he should attend a banquet in it, and still less that he should attend it as a member of the House of Lords, and still less that he should find himself on his legs returning thanks for the House of Lords. He had heard the question asked—a very relevant question—"What was the use of this hall?" Since he had been in the room he had heard it said that it was not an entrance hall, not a waiting hall, and, in fact, they did not know what use it was. He was proud to think that there was no problem so puzzling but the ingenuity of the legal mind could solve it. They had solved it in the most satisfactory way, in a way so satisfactory that he believed everyone who had attended the solution would be glad to do the same thing again. Sometimes another relevant question was asked—"What is the use of the House of Lords?" He would answer it in the same way. Let them look at the work it was doing. The members of the House of Lords had not the delight of sitting up till two or three in the morning, but, on the other hand, they were attending to the business of the country. The House of Lords was a type of feudal society, and it was sometimes accused of clinging tenaciously to the traditions of the ages in which it had birth. But at the present moment it was engaged in reviewing no less than three important measures which lay at the very bottom of that society. He did not suppose anybody could find three more important buttresses, or, if they would, corner stones, of the fabric which the Norman lawyers and statesmen had erected than primogeniture, entail, and the prohibition of subinfeudation. All these were being seriously considered by the House of Lords, and in this assembly it would be well known that such a review was a serious one, and could not be considered without a great deal of labour. There was another consideration, that, whatever the Lord Chancellor would propose and whatever Parliament might propose, no reform had the slightest hope of success unless it met with the support and the approbation of the great legal profession, and that part of it which consisted of the gentlemen who were intrusted by the possessors of property all over the kingdom with the management of their affairs.

Alderman Sir R. N. FOWLER, Bart., M.P., having returned thanks for the House of Commons,

Mr. B. G. LAKE proposed the health of the Right Hon. the Lord Mayor. He observed that, standing in the very shadow of the City of London, if not in its actual limits, the toast would appeal especially to the imagination of those who, like so many of those present, were trained by their profession and instincts to reverence antiquity. The corporation maintained the ancient forms and ancient traditions of the guilds from which it had arisen. And although rash hands had hitherto unsuccessfully attacked its position and privileges, Englishmen were proud of the Corporation of London. There was hardly an event of importance in the history of the country which was not associated with that great corporation. When a foreign potentate visited these shores his welcome would not be complete until he had received the lavish hospitality of the Mansion House, and if a victorious general or public man had earned the approbation of his country, he ranked amongst his proudest rewards the freedom of the City of London. And if some great catastrophe affected either this country or some foreign State, to what quarter did they look for help and sympathy except to the benevolent Corporation of London. These words alone would be sufficient to justify the toast, but he desired

to add a few words because he was privileged to join with the toast the name of the present holder of the high office of Lord Mayor. The name of Sir Reginald Hanson not only appealed to them as one of civic honour, but from all sorts of aspects. To many of them not the least of his recommendations was that he was an old Rugbeian, and that he was well known in the Surrey cricket field and at the London Athletic Club, but that was far from being the reason why he wished in this hall, and in this year, to speak of him. Sir Reginald Hanson was, he believed, the only Cambridge man who had filled the civic chair, and if he (Mr. Lake) was not much mistaken the University of Cambridge was about to give the Lord Mayor the highest honour it was in their power to bestow, that of Doctor of Civil Laws. There was one honour he ventured to think the Lord Mayor would even pride himself still more upon, and that was that he occupied the unique position—certainly in this reign—of having received his august sovereign at the Mansion House as his guest. He had received her Majesty on the occasion of one of those gracious visits which she had been paying more often lately than perhaps during the last few years had been possible, and he had received as a fitting reward of his loyalty and of the loyalty of the city which he represented the hereditary honour and dignity which he now wore, and, in the hope that he might enjoy that dignity for many years, and that he might hand to his successors unimpaired the privileges and liberties of that great city of which he was the worthy representative, he called upon them to drink the health of the Right Honourable the Lord Mayor.

The Lord Mayor, in acknowledging the compliment, said that the Attorney-General and Lord Hobhouse had expressed what appeared to be the views of many of those present—namely, that they were very much exercised as to what was the possible use of this hall. Their president and the Incorporated Law Society had recently discovered a very good use to which to put it, and he was quite certain that all who were their guests would appreciate it, and hoped that this would be by no means the last occasion on which the hall would be put to such a use. He would venture, however, as Lord Mayor, to say that an earlier use had been discovered for the hall, even from the very time when it had been first opened, the time of his predecessor in office Sir Henry Knight. Since his time it had been the passage room through which, on every succeeding 9th of November, the then Lord Mayor had passed to receive some words of advice from the Lord Chief Justice of England. Doubtless many of those present had been in that interesting but somewhat barbaric country Spain, where the chief amusement was the bullfight. But they treated the bull with the highest honour and respect, and before he was taken into the arena to be baited he was paraded before assembled multitudes, his horns were gilt, he was decorated with wreaths and ribbons and regarded as worthy to be slain with honour. Such was the position of the Lord Mayor on the 9th of November on his way to the Queen's Bench. There he was addressed by the Lord Chief Justice on many subjects, some of which he understood perfectly well, and of some of which, if he were a vain man, he might say he knew better than some other people, and upon many other subjects which were of vast interest to the world in general but which did not perhaps so intimately concern the City of London or the Lord Mayor. He (the Lord Mayor) had had the opportunity of hearing from the Lord Chief Justice the whole history in a very compendious way of all the jubilees which had taken place in England. That was six months ago, and, notwithstanding the serious warning given to him, he was surviving in very good health, and he believed the Corporation of the City of London was surviving and was held in the same estimation as ever. Mr. Lake had been good enough to say it was, and he believed he would be able to hand over the trust committed to him to his successor and his successors for many years, in as good a condition as when he had received it, and unimpaired in the estimation of the citizens of London. In the minds of all thinking men the corporation was represented in a great degree by the guests who were here to-night, because he knew that the guests of the Incorporated Law Society were from all parts of England, and many of them were concerned in local self-government, and he thought they had perfect confidence in leaving the management of municipal matters in the hands of those to whom they were intrusted year by year in the month of November by those who elected their representatives all over the kingdom. It was a great distinction to the City and to him, as its head, that her Majesty should have visited the Mansion House, which was an event unparalleled during her reign, and he believed during that of any other sovereign, and that her reception there had been carried out to her satisfaction and to that of the Royal Family, as he believed, from her Majesty's statement and from what he had heard from other members of the Royal Family, was the case. It was a very great honour for the City of London, and the honour her Majesty had been pleased to confer on him he was not vain enough to take to himself. He knew it was in honour of the ancient City of London and the way in which it had supported her and her family.

Mr. Follett proposed the toast of "Art, Science, and Literature."

Professor Tyndall responded, humorously remarking that he was sorry science had not had more to do with the construction of this hall, which, from an acoustic point of view, left very much to be desired.

Sir J. D. Linton, P.R.I., and Mr. Walter Besant also returned thanks.

The President proposed the health of the Provincial Law Societies, and of the country members of the society. He said it was a great pleasure to have amongst them as their guests to-night the members of the country law societies and the provincial members of the society. It was a great pleasure to the Londoners to entertain them there, and to do their best to reciprocate the pleasure which they had for so many years experienced during their visits to the provinces, where the most lavish efforts had always been made for their welcome and entertainment. The society in London received the greatest possible aid and assistance from the country law societies, and many of the most useful members of the council were the delegates of the country law societies. He trusted that the cordial relations which the London members maintained with their country brethren, and the aid and assistance which they at all times gave them, might long continue.

The President of the Liverpool Law Society (Mr. Kenion) responded. He said that it had been the humble effort of the country law societies to receive the Incorporated Law Society in the provinces. They had done their best from time to time to render the visits of the London members to the provinces worthy of the dignity of this great society. They had heard from the president to-night, as they had heard on previous occasions, that the provincial efforts had been acceptable, and that they might be considered worthy of the occasion; but he thought it was a happy idea of the London members of the Incorporated Law Society, in celebration of this Jubilee year, that they should return, in some measure, the obligations they had felt they were under by asking the provincial solicitors to meet them in this Jubilee year in the greatest city of the empire. He felt that this was a very adequate response to all that the provincial societies had done, and, on behalf of the provincial societies, he begged to tender in the most hearty manner their sincere thanks to the president, to the Incorporated Law Society, and to the profession in London, for the very hearty manner in which they had welcomed them.

The Lord Mayor gave the health of the President of the Incorporated Law Society, who represented their host here this evening. He did not think it necessary to dilate on the greatness of the Incorporated Law Society, or of its president, their excellent host; but he could tell the great number present to whom it was an utter impossibility that his speeches could have been audible, that those speeches had been most *à propos*, and that he had never heard better speeches given by a president at any dinner, especially to such a distinguished company as this. Personally he had known the president for a great many years, and he could venture to congratulate the Incorporated Law Society on their president and on the work they had done, and especially on the exceedingly happy thought of celebrating the Jubilee of her Majesty by giving this magnificent entertainment, because they in the City thought that any good work could not be better celebrated than by having a very good dinner, when all differences of opinion and any asperities which might have been felt were smoothed down. By the courtesy of the Incorporated Law Society they had had the opportunity of enjoying this evening a splendid entertainment, for which, in the name of those present, he would render his best thanks to the society and to the president, Mr. Parker.

The toast was drunk upstanding, and with three cheers.

The President, in responding, said: I rise to offer the warm thanks of my colleagues and of myself for the kindly words with which the Lord Mayor has introduced the toast of the Incorporated Law Society. Although in its terms the toast is addressed to me as president, I accept it in the collective sense in which it is intended, as applying to the council over which I have the honour to preside, and to the society whose affairs we administer. For the Incorporated Law Society I may say that, although it is not yet sixty years old, it has been steadily increasing in importance and influence throughout the whole period of its career. The Legislature has intrusted us with the most important functions with respect to the discipline and the education of our profession, and every year our work and our influence are increasing. Although we do this work for the whole body of the profession, yet, speaking in round numbers, of the 14,000 solicitors who are upon the roll, a little more than one-third of them are inrolled within our ranks, and I consider it is essential to the development and to the furtherance of the objects for which our society was incorporated that every solicitor upon the rolls should be inrolled within our ranks, and I look forward to the day, and that day may not be far distant, when this great fusion will be accomplished; and then, and not until then, will our society be that grand representative body of the whole profession which it ought to be, and in the end, I venture to say, must be.

The proceedings then terminated.

The Second Banquet.

The second banquet took place at the hall of the Law Courts on Monday evening, Mr. G. B. Gregory presiding. Among the guests were Lord Lingen, the Right. Hon. Osborne Morgan, Q.C., M.P., Rear Admiral Field, the Lord Advocate, Sir John Mowbray, Bart., Sir Gabriel Goldney, Sir E. Watkin, M.P., Mr. Stavely-Hill, Q.C., M.P., Sir W. Hardman, Sir Whittaker Ellis, M.P., Sir J. Parker Deane, Q.C., Mr. J. W. Lowther, M.P., Mr. Lockwood, Q.C., M.P., Mr. Dixon-Hartland, M.P., Mr. Maclean, Q.C., M.P., Mr. T. Milvain, M.P., and Mr. Elton, Q.C., M.P.

The Chairman, in proposing "The Health of the Queen," asked those present to drink it, remembering that they were there as solicitors of the Supreme Court, and they were there assembled in this great palace which the Queen of this country had herself dedicated to the administration of justice. He then gave the toast of "The Prince and Princess of Wales and the other members of the Royal Family," which was followed by that of the "Army, Navy, and Auxiliary Forces," in giving which the chairman pointed out that the army of this country was purely voluntary, emanating really from the public spirit of this country, and it was supported by the reserve forces which were entirely dependent upon that public spirit. The British soldier when he enlisted knew that he must be prepared to do everything that was asked of him—in fact, to stand sentinel over the globe. He surrounded it with his power, and it might be a question for him sometimes whether he had done well in changing the snows of the Himalayas for the blinding sands of Aldershot. That was his destiny and his duty. That destiny he accepted, that duty he fulfilled. They all knew their obligation to the Navy, and how well it fulfilled its duty. They recognised it as the first line of defence, and upon that line they thankfully relied for the performance of its obligations.

The Lord Advocate of Scotland returned thanks for the Army and the Reserve Forces. For the Army he might say, from his own observation, that never during this generation had it been filled by better men in physique than it was at the present moment, and they had only to cast their memory back to the events of the last three or four years in order to satisfy themselves that that physique was used bravely in the service of the country. For his own branch of the service he returned hearty thanks that they had done them the honour of coupling it with the Army, and he assured them that if they had any confidence that they could be of any use for the defence of their country, it was solely because they believed and knew that they belonged to the same race from whom our regular Army was recruited, and therefore they felt that, if properly led by the officers of the Army, they might be able to do their duty. He rejoiced to see that every day the union between the two branches of the Army, the indispensable Regular Army and the equally indispensable Reserve Army, was becoming closer and more intimate.

Admiral Field returned thanks for the Navy, observing that there was no rivalry between the Army and the Navy, except as to which should serve the country best. Lawyers, until of late, had been permitted to be present at court martials only as "friends of the prisoners." They had now a legal *status* there, and he did not know that there was any difference, except in the length of the proceedings.

Mr. W. Melmoth Walters gave the toast of "The Houses of Parliament," speaking of the opening of the Hall by her Majesty, and remarking that they were there to-night in a fitting way, it seemed to him, in commemoration of her jubilee. He had great pleasure in proposing the toast on behalf of the legal profession. They considered that they of the legal profession were, as it were, the handmaids of the Houses of Parliament. The Houses of Parliament had made their laws, and had entrusted to them the execution of them. The Houses of Parliament, beyond trusting them to that extent, had now let them go free and given them this magnificent hall to run in. Then, he said, it was fitting that there they should propose their health. They, as lawyers as well as citizens, owed much to the Houses of Parliament, for their liberties and their rights were owing to them. From them they derived Magna Charta, from them they got the Bill of Rights, and it would take a long time to enumerate the benefits which flowed from the action of the Houses of Parliament. He liked the House of Lords, not merely as a matter of fancy, but he liked it because of the value of its debates, because of the high pitch of eloquence to which it aspired, and because of the decorum which prevailed there. He liked the House of Lords not simply because, like most Englishmen, he had got, perhaps, a sneaking partiality for a lord, but also because he believed somewhat in the transmission of virtues and talents by hereditary descent, and because, in addition to that, he found the House of Lords was yearly recruited from amongst the best of our commoners, and because he found the result of that to be that they had a second chamber inferior to none in the whole world—one which they could destroy if they pleased, but which they could never build up again; and a feature which made it independent, and that was a great feature in a chamber of that kind, a chamber which was not driven hither and thither by the uncertain gale of popular favour, but a chamber which deliberated and discussed matters upon its own responsibility, and which came fearlessly to the conclusion which justice required. It had been said, What was the use of the House of Lords? and there were those who cried, "Down with it; down with it even to the ground!" Had it gone down? No. Recent events had made it grow in favour and in power; and he believed the day was far removed when they should hear any substantial echo of the cry, "Down with the House of Lords!" If they looked back, there was many a time when they had had occasion to say, "Thank God for the House of Lords." There was no concealing the fact that the House of Commons was suffering at the present moment from a severe affliction. He did not know what the doctors called it, but he would be inclined to say that it was *cacoethes loquendi*, and he was sorry to say that independent critics had noticed a serious deterioration in its manners and language. In conclusion, he invited the members of the Houses of Parliament, if they wished to see how business should be transacted, to come to the Courts of Justice. But there were gleams of hope. He had faith in the ultimate triumph of good sense, and he believed that the present was but a passing phase which, carefully attended to, would pass away. He believed in the experience they had had in the past, and had faith in what was to come in the future, and that this would amply justify him in asking them to drink the toast.

Lord Lingen, K.C.B., returned thanks for the House of Lords, observing that, as a second chamber, it held its position in the country greatly by its independence and greatly by its experience, and he felt tolerably safe in appealing to this assembly, which, more than any other, was connected with the property and all that represented the stable interests of the country. The House of Lords, on the whole, was perhaps the richest body which could be collected together in the kingdom, and he believed that to that fact might be attributed the great influence which it rightly and justly had in this country. And, further, its experience was a quality which it was impossible to overrate. The landlords, who were the holders of the great estates, the agricultural, urban, and mining interests, everything that constituted the industry and the wealth of the country, was represented there. He believed, judging from what he had seen in the debates of the House of Lords, that the interests of the country were thoroughly well considered in that House. Two of the first debates he had heard in the House of Lords were concerning the government of India and the government of Ireland, and the majority of persons who took part in those debates had either been Governors-General in India or Lords-Lieutenant of Ireland. He said most unhesitatingly that the interests of this country were considered with a deliberation, impartiality, and experience and public spirit in that House which would justify any confidence which the country might repose in the House of Lords.

Sir John Mowbray, Bart., replied for the House of Commons, referring particularly to the intimate connection which existed between the legal profession and the two Houses of Parliament. The House of Commons was recruited in its most illustrious members from the legal profession—from the most able and energetic members of both branches of the profession. He would remind those who were disposed to criticise the doings of the House of Commons, that the present was a very unfavourable year. But there was the unprecedented fact that the House of Commons, representing all shades of denominational and religious opinion and all classes and conditions of men, had repaired to St. Margaret's Church—the first time such a ceremony had taken place for a thousand years—to celebrate the Jubilee of an English Sovereign; and, for the first time, on Saturday evening, a banquet had been given to the legal profession in the Palace of Justice. On behalf of the House of Commons he would say that this, too, was an unprecedented year. The House had sat ever since January—nearly five months—and they had passed one rule of procedure and two clauses of a criminal Bill. The guests this evening had drunk to the House of Commons, which for more than 600 years had conferred great benefits upon the people, and he looked upon it with peculiar hope for the future. There never had been a time when there were a greater number of young men of ability and intelligence who formed the members of the House of Commons, and if the House would only proceed to work, great things might be expected of it. This was also the Jubilee year, in a sense, of the Chairman and himself, because it would be fifty years next November since Mr. Gregory and he had had the pleasure of commencing the study of the legal profession in the chambers of an eminent conveyancer, Mr. John Tyrrell, in New-square.

Mr. R. Ellett (Cirencester) proposed the health of "The Bench and the Bar." This was an age in which institutions were apparently undergoing a process of deterioration, but when they looked at the Bench of England they saw it maintaining its wonted dignity, its excellent purity, and its unswerving equity, and whether as English lawyers or as Englishmen they were proud of it, and they sought to do honour to it. The bar was a necessity of the bench, and if the bench were wise and good it was because the bar was so. He ventured to say that there never had been a time during the whole history of the English Bar where it was more fertile in the production of distinguished men, men of great honour and ability, and the bar had never at any time been more productive of men qualified to fill high offices as judges and as statesmen, and of men whose weight and eloquence enabled them to maintain worthily the traditions of the bar. That this was no fancy picture was well illustrated by the history of the right hon. gentleman whose name he was authorised to couple with the toast.

Mr. Osborne Morgan, Q.C., M.P., who was received with loud cheers, responded. He said the Bench of England was one of the few institutions of which the Englishman was still permitted to be proud. The judges of England could vie in point of ability, in point of purity, in point of integrity, with the judges of any other country on the face of the globe. If there was a single drawback to their happiness, a single bitter drop in their cup, it was because they were under the necessity of having to construe the nonsense which unfortunate legislators enacted. But what would the bench be without the bar, from whom its distinguished members were drawn; and what would the bench or the bar be without that distinguished section of the profession of which this distinguished society was, if he might use the expression, the incorporated essence? He could never forget that the bench, the bar, and the solicitors were the three branches of the same profession—component parts of the same machine—and the object of all of them was, or ought to be, the same—the administration of justice.

The Chairman proposed the toast of "The Provincial Law Societies." He said: I have great pleasure in proposing the health of those who are here as our guests to day; those who have accepted us as their guests for years before, and who, I hope, will receive us as long as we shall survive as guests again. We are all indebted to their hospitality, and we are all indebted to them for following our example of incorporating members of the solicitor branch of the profession into societies for the maintenance of discipline, for the preservation of the conduct, and for the maintaining of the dignity and the honour of their own profession. That has been the duty of these affiliated law societies. That duty they have faithfully fulfilled. I venture to anticipate a joke we may see in some of our favourite society journals, where we may be compared to the octopus sending out our bloodsuckers in all directions. Let them say it. What we are doing is to extend the honour of our profession, of maintaining its position of dignity in all parts of this country; and I say we are indebted to the affiliated law societies for assisting us materially in that direction. We are delighted to see them as our guests to-day. We look to favours to come. We look to receiving their hospitality in years for the future. I shall not be of the party, but many of us may be. I cannot look forward to it, but perhaps I may live in the memory of some of those I am addressing to-day. If so, I shall live in the anticipation of such a destiny. I desire nothing higher. I desire nothing better as long as I am a member of the profession. So long as I am remembered amongst you all so long shall I be satisfied with the destiny I have to fulfil. I beg with sincere satisfaction and with heartfelt gratification to propose the health of the Provincial Law Societies, coupled with the name of the President of the Bristol Law Society.

The health having been enthusiastically received,

The President of the Bristol Law Society (Mr. H. O'B. O'Donoghue), in returning thanks, said that the Provincial Law Societies hoped that they were doing some good work. Although some of those in the provinces were inclined to think from changes of the law that they were threatened with extinction, and to look upon this magnificent banquet in the light of a funeral feast, yet he thought they might look forward to years of useful work—to years of profitable work—and to be useful to their generation and to this great country.

Mr. Elton, Q.C., M.P., proposed the health of the Incorporated Law Society, to whom they were indebted for this splendid hospitality. In the name of all the lawyers—in the name of all who had chosen to accept this hospitality—he thanked them. He could not sit down without saying one word in respect to the chairman, whose voice had ever been listened to with the deepest respect whilst he was in the House of Commons. He could safely say that on every occasion on which he had spoken upon questions of statesmanship or questions of law, he was listened to with the greatest deference and the most affectionate regard.

The Chairman, who was met with loud plaudits, in acknowledging the compliment, said: As a solicitor I was almost, I may say, born; as a solicitor I have lived, and as a solicitor I hope to die. All my thoughts have been for the interest of the profession. I may say, certainly, since I entered the House of Parliament, that I hope that, in some degree, my efforts have tended to maintain these interests and the honour and dignity of the profession to which I have the honour to be a member. I believe the Incorporated Law Society has done honest, sincere, and truthful work in the operations which it has undertaken. I remember the first institution of the society. I remember its small beginnings. I remember it began almost as a social institution, for the purpose of maintaining harmony amongst the members of our common profession. It has gradually extended its operations. It has become almost a university in the proper sense of the term. It has become a great institution of examination and of discipline; and, as it had faithfully fulfilled its duties and obligations, those which had been cast upon it by Parliament, and those which have been recognised in society, I believe it has tended not only to the benefit of our profession, but to the common benefit and welfare of the general community.

The Ball.

On Tuesday evening a ball was held at the Society's Hall, Chancery-lane, at which nearly 2,000 ladies and gentlemen were present. The President and the Vice-President received the guests in the council room, and among them were the Lord Chancellor and Lady Halsbury, Lord Herschell, Lord Justice Cotton, Mr. Justice Grantham, and Mr. Justice Kekewich, and a considerable number of Q.C.'s and members of the bar. Dancing commenced soon after nine o'clock, and was continued until four a.m. The whole of the building, which was profusely decorated throughout with growing plants and laid with crimson cloth, was utilized. The Examination Hall, in which was stationed the band of the Royal Artillery, conducted by Mr. L. Zavertal, and the Reading Room, where was Willoughby's band—conductor, Mr. L. P. Willoughby—were the ball-rooms, and the whole of the premises occupied by the club were used for the purpose of supplying light refreshments during the evening. In order to avoid any block, the guests entered the supper-room by means of the library staircase, and afterwards gained the lower rooms by a temporary staircase constructed outside the building. Messrs. King & Brymer supplied the refreshments, and Messrs. Cutbush were responsible for the decorations. The line of carriages and cabs extended from end to end of Chancery-lane and along Carey-street, and in front of the Courts of Justice.

The Theatrical Entertainments.

On Thursday evening, the following theatres were placed at the disposal of the visitors:—Lyceum (Louis XI.), St. James's (Lady Clancarty), and the Court (Dandy Dick).

CASES OF THE WEEK.

WALSH *v.* THE DARWEN PAPER MILLS CO.—C. A. No. 2, 8th June.

Breach of Injunction—Motion for Sequestration—Mode of taking Evidence.

This was an appeal by the plaintiffs, who were cotton spinners carrying on their business at mills situate on the River Darwen, in Lancashire, against the refusal of North, J., to issue a sequestration against the defendant company for an alleged breach of an undertaking given by them in the action. The company were the occupiers of a paper mill situated higher up the river than the plaintiffs' mills. On the 27th of April, 1885, an order was made in the action by Pearson, J., on the application of the plaintiffs in chambers, declaring that the defendants had not, as against the plaintiffs, any prescriptive or other right to pollute, deteriorate, impound, withold, or diminish any water of the river, or any of its affluents, so as injure the plaintiffs in the enjoyment of the flow of the water unpolluted for the use of their mills. And the defendants, by their counsel, undertaking not to pollute, &c., any water of the river, or any of its affluents, so as to injure the plaintiffs as aforesaid (such undertaking not to be enforced for a period of eight months from the date of the order, if the defendants should in the meantime do their best to make arrangements so as to conduct their works as to avoid doing the plaintiffs any injury), it was by consent ordered that the defendants should pay the plaintiffs' costs of the action, to be taxed as between solicitor and client. During the eight months the defendants made some alterations in their works, and fourteen months after the expiration of the eight months the plaintiffs, who had not previously made any complaint since the expiration of the eight months, gave notice of motion for the issue of a sequestration against the defendants on the ground that they had committed a breach of their undertaking. On the hearing of this motion both sides filed a number of affidavits, but there was no cross-examination of the witnesses. North, J., dismissed the motion, but without costs.

The Court of Appeal (Cotton, Bowen, and Fry, L.JJ.) dismissed the appeal, with costs, without hearing any argument on behalf of the defendants, holding that the plaintiffs had failed to shew that the matters of which they complained were due to any acts of the defendants. Cotton, L.J., expressed his regret that a case of this kind should have to be decided on affidavit evidence, without any opportunity of cross-examining the witnesses. Without absolutely deciding the point, he thought that means might have been found for having an issue tried with *viva voce* evidence. Bowen, L.J., concurred. He thought that the question in dispute ought to have been settled either by a reference to a skilled arbitrator or upon oral testimony, not upon affidavit evidence. Moreover, the plaintiffs' case rested upon samples of the water of the river, and in such a case the value of the experiment depended entirely upon the fairness with which the sample was taken. The only satisfactory way of taking such samples was to give the opposite side an opportunity of seeing how the sample was taken. The plaintiffs had not attempted to submit their samples to any witnesses but their own, or to give the defendants in any way an opportunity of checking them. The plaintiffs were bound to shew that the mischief of which they complained was produced by something peculiar to the defendants' manufacture—that the injury must come from the defendants. The only thing peculiar to paper manufacture which could produce the alleged injury was the refuse of esparto grass. The defendants said that the alterations which they had made in their works had rendered it impossible that the esparto refuse should find its way into the river. That defence, if it was true, was unanswerable, and the only way of meeting it was by cross-examining the defendants' witnesses, or by inspecting the defendants' works to ascertain if it was true. It was almost inconceivable that the plaintiffs should not have adopted either of those courses. The court came to but one conclusion, that the plaintiffs had not established their case. Fry, L.J., was of the same opinion. He thought that North, J., had dealt somewhat hardly with the defendants in depriving them of the costs of the motion.—Counsel, *Cookson*, Q.C., and *Farwell*; *Cozens-Hardy*, Q.C., and *S. Hall*. Solicitors, *Pritchard, Englefield, & Co.*; *Clarke, Woodcock, & Ryland*.

WALLASY LOCAL BOARD *v.* GRACEY—Stirling, J., 8th June.

Action by Local Board to restrain alleged Public Nuisance from which the Board sustain no Damage.

The Wallasy Local Board sought, by a motion in the terms of the writ in an action brought in the name of the board, to restrain by injunction an alleged public nuisance. The board had sustained no damage by the alleged nuisance. It was objected that the action was wrongly framed.

Stirling, J., held that the objection was well founded, as the consent of the Attorney-General had not been obtained, whereas the proceeding should have been by information in his name.—Counsel, *Graham Hastings*, Q.C., and *Bardswell*; *Buckley*, Q.C., and *F. Smith*. Solicitors, *Jaques & Co.*, for *Layton & Steel*, Liverpool; *Wynne, Holme, & Wynne*, for *Simpson & North*, Liverpool.

CASES AFFECTING SOLICITORS.

Ex parte PHILLIPS, *Re* WATSON—C. A. No. 1, June 8.

Solicitor—Taxation of Costs—Services whilst no Personal Representative Existed, but Beneficial to Estate.

This was an appeal by Mr. Watson, a solicitor, against an order of the Divisional Court (Lord Coleridge, C.J., and A. L. Smith, J.), for a review of the taxation of his bill of costs, reported 35 W. R. 290, 18 Q. B. D. 116. On May 12, 1877, Harriett Cross died leaving a will, but the executor named therein renounced probate. On September 3, 1878, letters of administration with the will annexed were granted to Ann Phillips and Catherine Noyes, the sisters of the deceased. Ann Phillips died September 14, 1879, and Catherine Noyes died December 12, 1879. After their deaths a man named Easton, who had married the daughter of Ann Phillips, intermeddled with the estate, and instructed Mr. Watson, who had previously acted for the estate, to perform further services as a solicitor with respect to the administration of the estate. These services were performed by Mr. Watson, and were for the benefit of the estate, and he continued to act until June, 1882, when he received notice from one Robert Phillips revoking his authority. On August 17, 1882, letters of administration *de bonis non* were granted to Robert Phillips. In January, 1886, he obtained an order for the delivery of Mr. Watson's bill of costs against the estate, and upon taxation the master allowed and taxed the items in respect of the work done between December 12, 1879, when Catherine Noyes died, and August 17, 1882, when Robert Phillips became administrator. Field, J., refused, on appeal, to direct a review of taxation, but the Divisional Court directed the taxation to be reviewed; holding that, in order to make the estate of a deceased person liable for services rendered while there is no personal representative, it must be shewn that they were rendered under a contract with someone authorised to bind the estate.

The Court (Lord Esher, M.R., Lindley and Lopes, L.JJ.) affirmed the decision of the Divisional Court, and dismissed the appeal. They said that although Mr. Watson's services had been beneficial to the estate he could not recover costs from the administrator in respect of those services. If he had acted as a volunteer, the administrator could have subsequently ratified his action, but he had acted under the instructions of Easton, who had no authority whatever to act for the estate, and there was, therefore, nothing for the administrator to ratify.—Counsel, *H. D. Greene*, Q.C., and *Parker*; *Bigham*, Q.C., and *Dickens*. Solicitors, *T. R. Watson*; *Smiles, Binyon, & Ollard*, for *Pope*, Hay.

LAW SOCIETIES.

INCORPORATED LAW SOCIETY.

LONDON MEETING.

PAPERS AND DISCUSSION.

On Tuesday morning the members of the Society met at the Freemasons' Tavern, Great Queen Street, for the reading and discussion of papers, the PRESIDENT taking the chair. Considerably over 1,000 gentlemen were present at the morning sitting.

The PRESIDENT said: Before beginning business I desire to say how much the council of this society feel the pleasure of your visit to us here in London. As I have already said we have been so often entertained by you in the country, that we are delighted to have the opportunity of a return visit from our country friends.

THE VICE-PRESIDENT'S ADDRESS.

The VICE-PRESIDENT (Mr. Henry Markby) read an address in which he said: Speaking to the members of our society who are now present, there is one Bill of first importance which is now before Parliament to which some allusion is necessary. I refer to the Bill entituled, "An Act to farther simplify titles and facilitate the transfer of land in England and Wales." Its object is stated to be an attempt to settle and carry further the legislation which is associated with the name of Earl Cairns, to whose ability and profound knowledge of the law the Land Transfer Act of 1875, the Conveyancing Act of 1881, and the Settled Land Act of 1882 are mainly due. The Bill contemplates that registration should eventually become compulsory and universal. Its provisions in this respect are to come into operation upon death, or as and when it may be wished to effect a sale or transfer of land in any district declared by Order in Council to be subject to its operation. In this gradual adaptation of the principles of registration of titles to real property the Bill follows, to some extent, a suggestion made many years since by an eminent member of the council of our society, whose views were set forth in a paper read in May, 1852, before the Society for Promoting the Amendment of the Law, and printed by that society. I refer to the late Mr. W. Strickland Cookson, who was, I believe, throughout his life a consistent advocate of registration. In May, 1853, a Bill to provide for the registration of assurances was read a second time in the House of Commons and referred to a Select Committee. Before that Committee the views of Mr. Cookson were supported by the evidence of himself, the late Mr. John Bullar, the well-known parliamentary draughtsman, the late Mr. E.W. Field, and Mr. W. Williams, of whose aid in their deliberations the council still retain the benefit. Mr. Bullar submitted for the consideration of the Committee a plan prepared in concert with the above-named gentlemen for the registration of legal ownership in land, which received the approval of the Committee, as affording a means of facilitating the transfer of land, combined with great simplicity and security of title; and the Committee concluded their Report by recommending that the Bill for the registration of assurances should not proceed, but that a Commission should be appointed, and that a Bill adopting the scheme so suggested should be brought into Parliament in the then ensuing session. In 1854 a Royal Commission was issued, which, after a very lengthened enquiry, reported that "all owners or proprietors of land who have the right of possessing or the power of disposing of it in fee simple should be at liberty to apply for the registration of ownership thereof, so that such ownership, or the title to the land, which is the subject of the same, may thenceforth be manifested by the Register alone." This was substantially an adoption of Mr. Cookson's plan, who proposed to make a record only of the transfers of the legal estate and to keep the details of trusts and incumbrances off the Register. He also proposed to adapt the system of restraining transfers of stock by *distringas* to restraining the transfer of land, the intention being that on and after a day to be named, "Where any dealing with land takes place by a person entitled to or having power over the whole fee-simple, a transfer shall be executed, conveying the whole fee-simple to one or more persons absolutely. That such transfer shall be on parchment in original and duplicate, in a simple printed form, and shall express the true consideration and shall transfer the property described in the schedule to the purchaser, or mortgagee, or trustee, who shall thereupon become the registered owner. That both parties shall sign the instruments, in order that the signature of the purchaser may be on the register as a check on any future transfer by him. That both parts shall be lodged at the Transfer Office, and compared with each other there: and that the duplicate shall be filed and entered in the index, and the original returned, stamped as registered, to the registered owner or the original may be filed and the duplicate returned. That it shall be competent, for, if not obligatory on, parties to add a map to the schedule, for better describing the lands. That the validity of the title of the first registered owner shall depend, as it does now, on the validity of the title of the party making the transfer, so that the first registered owner must investigate the title—the legal and equitable title—as he does now. That when the first registered owner shall afterwards sell to another, say at the end of ten or twenty years, the purchaser will see on the register the evidence of the title for the ten or twenty years, and for that time he will require no other evidence of ownership than the register;" which would, "when, under this system, land should have been transferred for fifty or sixty years, be a sufficient title." Mr. Cookson also pointed out that "Under this system equitable mortgages may be created with facility and dispatch. An equitable mortgagee may obtain a *distringas* if he holds a simple undertaking of the owner to grant a mortgage when required." And added that "Provision must be made for devises, where the whole ownership is not devised to one or more persons, either beneficially or as trustees. The executors may, in such cases, be registered as owners, and a *distringas* may be lodged for the protection of the parties beneficially interested." Legislation has in the interim abolished the necessity of deducing title for sixty or even fifty years, and not only thereby, but in other respects, has lessened the difficulties of achieving the result which by the above plan it was desired to attain—a result which was declared to be "of great national interest and importance, and entitled to careful and serious examination." It is impossible to refrain from making the observation, if effect had been given to this practical suggestion of one of the leading solicitors of the day, how great would now have been the progress towards the accomplishment of the registration of titles, which most people think desirable, but which no one has yet been able to devise the means of accomplishing by legislation. And this alone is a sufficient answer to those who assert that a system of registration would long since have been effected but for the interested obstructiveness of the legal profession. The truth is, as the slightest reflection will show, by far the larger portion, if not all, of the successful attempts to give vitality to any proposed amendments in the law of real property—and they have been numerous during the reign of the Queen—have emanated from lawyers practising in one or other branch of the profession. Indeed, what is to be apprehended is not a factious opposition on the part of the legal profession to the Bill now before Parliament, but a fear lest the pressure put upon the Government, for what is called a large and liberal measure of land reform, may lead to the hasty passing of a measure which will only add another to the numerous failures upon this subject. The report of the above-mentioned Commission was issued in 1857, but the system of registration proposed in such report was not adopted by the late Lord Westbury when in 1862 a Bill to facilitate the proof of title to, and the conveyance of, real estate was introduced by his lordship into Parliament, and became law in the session of Parliament held in that year. The Act sought, as you know, to establish a system of indefeasible titles, and required a very strict and expensive investigation of title as a preliminary to registration. After a short experience of the working of its provisions, it proved to be unacceptable to the public, and in 1868 a Royal Commission was appointed to enquire into the working of it. This Commission reported in 1870, and confirmed the view which the public, as well as the legal profession, had taken, and stated that the evils of which complaint was made were "directly and visibly traceable to the main principle of the Act," and that "the system had failed." In 1874 and 1875, Bills for the registration of titles were introduced into Parliament by the late Earl Cairns, and in 1875 "An Act to simplify titles and facilitate the transfer of land in England," which came into operation on the 1st January, 1876, was passed. The Act was designed to remedy the defects of Lord Westbury's Act, but it also has failed to work satisfactorily, and has become, as was stated in the report of the Select Committee which sat in 1879, "a dead letter." The task, therefore, of establishing a system of registration which will satisfy the requirements of simplicity, expedition, and cheapness, so as to become a valuable acquisition to the owners of land in this country and a boon to the public at large, has yet to be accomplished. The present Bill adopts, with some exceptions, the provisions of the last-mentioned Act, and proposes, in opposition to the strongly expressed opinion of the late Earl Cairns, when giving evidence before the Select Committee of 1879, to make registration compulsory upon any landowner who desires to sell, settle, mortgage, or, as it would seem, to grant a lease for a term exceeding twenty-one years of any portion of his estate, a provision which will, even if the "possessing" owner elect to register a possessory title only, render it necessary for him to incur an immediate expenditure of a very considerable amount in the preparation of plans and the giving of notices, &c. But, looking to the failure of the two preceding Acts, surely it will be advisable to postpone the enactment of compulsory registration, at least, until it has been found by experience that the proposed legislation will work satisfactorily, and so to avoid the risk of hampering instead of facilitating the transfer of real property, and of imposing upon "possessing" landowners, upon whom in these days no unnecessary burthens should be cast, a scheme which will inflict upon them a heavy outlay, without, it may be, any corresponding advantage to themselves or the general public. There are in the Bill other provisions of great importance which are simplifications of the Law of Real Property, and which may be found to be useful. The boldest of these provisions proposes to assimilate real and personal property by making real estate in case of an intestacy devolve upon the personal representatives of a deceased person, and become "divisible among the same persons as if it were personal estate as to which he had died intestate." And this, I may observe, is in the direction indicated by our president in the address which he delivered at York at the meeting held last autumn. The Bill also proposes to put an end to estates tail; and whilst this provision will certainly tend to simplify the law, it probably will not be found to interfere unreasonably with the power of settlement, so far as that power can be usefully exercised. I need hardly say that these observations are made with the hesitation which one must necessarily feel in dealing with a subject so complicated and so important as a reform of the Law of Real Property. I do not wish for a moment to deny that the Bill of the Lord Chancellor, which contains many other provisions of a most important kind, is, as we should expect from all we know of his lordship, a bold and able attempt to grapple with the difficulty of the task which is imposed upon him—a difficulty which those who have only observed the evils and inconveniences of the present system, and have not put their own hands to the task of remedying them, are wholly unable to appreciate. And whether the views which I have ventured to express are concurred in or not, I need not hesitate to add that, preserving in this respect the traditions of our society, law reform, in any direction in which it can be shown that mischiefs can be removed or real improvement attained, will not meet with opposition from the council which represents our branch of the legal profession.

Passing from this question, I will now take leave to occupy some small portion of your time with a subject which is peculiarly well fitted to be

discussed on the present occasion. I mean the progress which the education of our branch of the profession has made during the course of the present reign, when contrasted with what had occurred in the four previous centuries. [After dealing with the history of the legislation on the subject prior to the present reign, the Vice President said that] at a date almost coincident with the commencement of the present reign—a few months only prior to the accession of her Majesty—there was held for the first time an examination, in which the council of our society took a recognised part. Sixteen members of the council of our society, together with certain officers of the court, were elected to superintend the examinations, of which the first was held in the hall of our society in November, 1836, when 101 candidates were examined, of whom ninety immediately received certificates of fitness; and on the following day, after further consideration, six more were passed, five only being postponed, all of whom were re-examined one week later and received their certificates. In 1837 the Master of the Rolls made a similar order for the examination in equity of candidates seeking to be placed on the roll of solicitors, and it was ordered that such examination should be held at the Rolls House in the presence of one of the masters in chancery and one of the sworn clerks of the court, testimonials as to due service having previously been left with the secretary of the Incorporated Law Society in the same manner as was required previously to the examination of attorneys. The Equity examiners met at the Rolls House, and examined the one candidate who presented himself, and he received a certificate to which it will, I think, be admitted his enterprise fairly entitled him. That the powers which were thus for the first time entrusted to the council of our society have been exercised with advantage to the profession and to the satisfaction of the public we need not feel any doubt. Had it not been so we should not have found, as we in fact do find, that these powers have been constantly increased by the Legislature, until our society has come to hold, with respect to legal education, the same powers in regard to solicitors as are held in regard to barristers by the Inns of Court. And these powers have been so conferred, as I believe, because the council has throughout been acting in harmony with the movement which was also set on foot in the early years of her Majesty's reign, and which has ever since been continued—I mean the endeavour to raise the standard of the legal profession in all its branches. In January, 1844, by an order of the Master of the Rolls, and in Easter Term, 1846, by an order of the judges of the Queen's Bench and other courts then sitting at Westminster, the masters of the several courts of law, and a certain number of attorneys and solicitors who were always selected from the council of our society, to be elected annually, were appointed to be the examiners of candidates seeking admission as attorneys and solicitors. In 1845 the Charter of Incorporation, granted to the society by King William the Fourth, was surrendered, together with all the individual rights of property in the funds of the Institute, as it then existed, in order that the same might thenceforth be applied to the general purposes of our society in promoting professional improvement and facilitating the acquisition of legal knowledge. By these means all trace of the commercial character which had, in its origin, been unwittingly impressed upon our society, and which had been found to have a prejudicial effect upon its progress, was removed. In August, 1846, a Select Committee of the House of Commons, which had been appointed to inquire into legal education in England, made its report. The Committee advert to the fact that in none of the collegiate establishments being places of preliminary study to the Universities were any legal courses, however elementary, pursued; that in neither of the great Universities of England (Oxford or Cambridge) were there more than two chairs, one for promoting the study of civil, the other for promoting the study of English law; that of these chairs one had been discontinued on account of the paucity of students, and that the other, although more efficient and better frequented, was still inadequate; that in the University of London efforts had been made to supply their wants, but for the time only had their efforts proved successful; and that although in the College of Haileybury such requirements had been better met, they were limited to students for India. The committee then state it to be their opinion that there was in our schools and universities no course of instruction sufficiently extensive either for the general or professional student, whilst the Inns of Court had long since discontinued their lectures and readings, and consequently, there was neither for barristers or solicitors any legal education of a public kind worthy of the name. And speaking more particularly of our branch of the profession, the committee go on to state that the solicitor entered upon his professional duties "ill entitled, through want of the qualities which sound and careful education can best give, to that confidence and reliance which the very delicate and complicated nature of his duties demand." The committee then contrast the legal education of the Continent, where that branch of education held (as it still holds) an important place in the curriculum of subjects to which pre-eminence was, and still is, given in the Universities of those countries, with the want of any such facilities for the study of the law which existed in England, and go on to say that they have not "come to the conclusion that this state of things does not admit of correction; on the contrary, they have received, during their course of inquiry, very direct and unquestionable proofs from all classes, professional and unprofessional, not only of the necessity, but also of the facility, of reform." That "already commencements, with no small degree of success have been made by the establishment and operations . . . in London and Manchester of their respective law societies," and they add that "In those matters the best labourers are the voluntary, and no reform is likely to be so general, effective, or permanent, as that which is the result of the calm deliberations and matured convictions of those directly concerned." The report closes by recommending, amongst other things: "That in providing for the special legal education of the solicitor, a stringent examination should be required in proof of a sound general education having been gone through previous to admission to apprenticeship. That this examination should embrace, in addition to the ordinary acquirements of a so-called commercial education, a competent knowledge of at least Latin, geography, history, the elements of mathematics and ethics, and of one or more modern languages." The efforts of our society for the improvement of education, thus early acknowledged, have never been relaxed. The lectures of the society were continued, and considerable care was expended upon the conduct of the examinations. But it was felt that further reforms were still necessary, and in the year 1860 a Bill for that purpose was introduced into Parliament, which was prepared under the direct instructions of the Council. This Bill became law, and by its provisions our society were enabled to set on foot the Preliminary and Intermediate Examinations. This Act was passed during the presidency of Mr. Cookson, to whose ability and active interest in the well-being of the profession of which he was an ornament I have already referred. In 1872 (it having long been felt that the endeavours to raise the standard of legal education for solicitors throughout the country would be more likely to be successful if our society were brought into somewhat more close connection with the societies established, and still in course of establishment, in the large towns of England), a supplemental charter was obtained, under which the members of the council were increased in number, and power was given to elect extraordinary members from the presidents of any other law societies established at any place in the United Kingdom except the metropolis, with the like or kindred purposes for which our society has been established. The number of such extraordinary members was limited to ten. The power thus given has since that date been constantly exercised, and has been found to be most useful for the purpose for which it was intended. Up to this time, however, our society had only a limited control over the examinations for admission into the ranks of our branch of the profession. The Legislature had not, in the first instance, done more than enable the judges to depute to the council certain functions which they could at any time resume. But in 1877 an Act which originated with, and was actively promoted by, our society became law. The passing of this Act was mainly due to the experience, tact, and indomitable perseverance of Mr. Francis Thomas Bircham, who was vice-president in 1874 and president in 1875, aided in a large degree by Mr. G. B. Gregory and Mr. E. F. Burton. It conferred upon our society, subject to a right of appeal to the Master of the Rolls, the entire management of the preliminary, intermediate, and final examinations. Upon the passing of this Act, an Examination Committee (upon which some country members always serve) was formed to inaugurate and superintend the working of its provisions. Assistant examiners were selected from practising members of the profession to assist in the conduct of the examinations, and in 1879 elementary classes for the benefit of articled clerks who had not passed their intermediate examination, which have since been continuously conducted by a London member of our branch of the profession with very considerable success, were established. On the 28th of February, 1879, the council instructed the Examination Committee to communicate with the various local societies in the country, with a view of ascertaining whether or not it would be practicable to establish local classes in country towns of the same character as those which have been established by our society for the benefit of articled clerks who had not passed their intermediate examination, and accordingly a circular letter was addressed to those bodies. At the time the local societies did not see their way to the establishment of such classes, and the suggestion met with but little encouragement from any of the societies who responded to the letter of the Examination Committee, with the exception of the Liverpool Law Society, who considered that the establishment of local law classes would meet with "great approval and be strongly supported." Such important towns as Birmingham, Liverpool, and Newcastle-on-Tyne have since seen their way to establish law classes in conjunction with our society, and these classes the council have had the satisfaction of being able to assist, in some degree, by means of a yearly grant. An honours examination has been established, at which candidates from the country have taken a full share of the prizes, for which provision has been made through the liberality of former members of the profession; and these agencies for the furtherance of the main object of our Society are now in active operation. I have thus shewn that no inconsiderable progress has been made during the present reign in promoting the education of candidates for admission upon the rolls of solicitors in England and Wales. Much remains [to be done in the same direction, and if the foregoing narrative calls attention to the importance of the question of legal education, and operates in some degree as an incentive to greater exertions on the part of the existing law societies, both in town and country, my purpose will be fully answered, and I shall more especially regard my attempt to do justice to the labours of the council of our society with satisfaction if the present reunion has the result of inducing a much larger proportion of our professional brethren to enrol themselves as members of the Incorporated Law Society than have hitherto seen fit so to do. Although during the last few years a considerable addition has been made to our number, yet our society does not include, as it should do, a large majority of the profession. If it did, its usefulness would be increased, and the objects for which it was founded, and especially that of establishing a good system of legal education, would be insured.

The last subject upon which I shall venture to make any observations, and those very few and with very great diffidence, is one upon which there is a great divergence of opinion—viz., the amalgamation of the two branches of the profession. The subject has been brought somewhat into prominence lately, and it has consequently received the consideration of the Bar Committee. It is not within my province, nor do I presume to make any observations upon the course, so far as it has been made public, which that body has thought it advisable to adopt. The interests of the bar may very safely be left in their hands. I will only observe that at present they have not seen fit to take any active steps in the matter, and I cannot but think that our branch of the profession may well follow a like course, and more especially so because of late years the transit from one branch of the pro-

fession to the other has been made, comparatively speaking, very easy. But in saying that no active steps should be taken to disturb the distinctions which at present exist, I do not intend to indicate that the matter is one which can with prudence be wholly disregarded. On the contrary, it deserves our careful attention and constant watchfulness. Ultimately it will no doubt be determined, as such a question should be, by stress of circumstances and the requirements of the public. That the present distinctions, although they may be modified, will ever be entirely swept away, I do not believe. These distinctions are not arbitrary, accidental, or based upon considerations which have no longer any effect. They are not peculiar to this country, and even where they have been abolished by law they have a tendency to reappear. There is no country in Europe where all the functions of a barrister and a solicitor are performed by one person. Everywhere there is a line of separation drawn, although it is drawn very differently from our own. Generally on the continent of Europe a distinction is made between contentious and non-contentious business. For non-contentious business there is an officer who is called a notary, whose duty it is to prepare legal documents of every description for persons who are about to enter into a transaction which requires a writing of a formal kind. In Germany the contentious business is placed entirely in the hands of the advocate, who superintends it in its progress both in and out of court. But in France this is not so, for in addition to the notary and the advocate there is a third legal functionary called an avoué. The avoué conducts the actual procedure of the litigation, whilst to the advocate are entrusted the duties of personally advising his clients and appearing in court. The avoué is called in only when his services are required for carrying on the machinery of litigation. It is remarkable also that where there is a formal union between the functions of barrister and solicitor in litigious business there is very generally, if not always, a strong tendency towards practical separation. Persons who possess the special qualities required by a successful advocate are by no means invariably the persons best suited to advise as to the management of an intricate litigation, or upon the other manifold questions with which solicitors have day by day to deal, and *vice versâ*. And it is this natural division of capabilities which leads to a voluntary separation of duties. I am told that many advocates in Germany devote themselves solely, or very nearly so, to appearing in court, while others very rarely leave their own chambers. In Canada the professions of barrister and solicitor are separate to the extent that there are two distinct rolls—a barristers' roll and a solicitors' roll—but the one individual usually appears on both rolls. As a solicitor he is the officer of the court, and under its control; but, nevertheless, a separation of duties finds its place. In Toronto there is, or very recently was, a firm of nine members, of whom four are Queen's counsel; and it is in that country a well-established practice in large firms for the senior partners to devote themselves to court work exclusively, whilst the intermediate partners help the seniors and the juniors, and the juniors devote themselves exclusively to office work. In the United States of America, as is well known, the law makes no distinction of functions whatsoever. But here, again, the voluntary separation appears in a very decided manner. Partnerships are formed with an express view to a division of work, so that one partner almost invariably appears in court, whilst another advises the clients of the firm and carries on the general business. In heavy causes suitors avail themselves of the special assistance of a qualified practitioner, "if conspicuous in some particular branch of the law, . . . outside of the office where the proceedings are initiated," who is called in expressly for the purpose of conducting the case in court. Still, if some separation of legal functions will in all probability continue, there are not wanting indications that some change in the distribution of these functions may take place. This question must, as I have already said, be determined by the necessities and requirements of the public. But if we do our best to improve the education and to uphold the dignity and honour of our branch of the profession, we need not, I think, take alarm, and act as if we thought that every such change must be injurious to our interests. If the change be one which steadily progresses, it is probable that it will do so because public convenience lies in that direction; and we must, whilst using vigilance to regulate, as far as it comes within our province so to do, that progress, adapt ourselves to it rather than oppose it. Indeed, there is one point which will require the utmost watchfulness on our part, and it is this. No other body of men are placed by the law (and rightly so, having regard to the interests which are confided to our care) under such strict supervision and control as we solicitors are; and if any of our functions are to be assumed by others, we must insist that persons outside the ranks of our profession who desire or may be required to take the work which is now confided to us shall be placed under a like supervision and control, and be subjected, in case of failure, to like consequences; and in this way we shall discharge our duty to the general public, by whom and in whose interests this question, I repeat, must be determined.

The PRESIDENT said that as there were other papers to be read which touched upon the same subject as the address, he would invite the members present to postpone any discussion until they had been read.

Mr. WILLIAMS, as senior member of the council, moved that the thanks of the meeting be given to the Vice-President for the very admirable paper they had listened to.

Mr. BERNARD WAKE (Sheffield) seconded the motion. He said that some of the subjects in the paper had also been touched upon by the Master of the Rolls and the Lord Chancellor the other evening, when he had stated that the bench, the bar, and solicitors were three branches of one profession.

The motion having been carried with acclamation,

The VICE-PRESIDENT briefly returned thanks.

NEXT YEAR'S MEETING.

The PRESIDENT said that at this period of the meeting it was usual to fix the place of meeting for the following year.

Mr. C. H. STANTON said he had the honour of representing the Newcastle Law Society, and he hoped that next year the members would meet at Newcastle.

Mr. J. LEWIS (Wrexham) expressed a hope that this invitation would be accepted.

THE EXTENSION OF THE SOCIETY, ITS FUNCTIONS, AND POWERS.

The PRESIDENT read a paper with this title, as follows:—Although the duty of delivering the annual address has, for the reasons stated by him, devolved this year upon the Vice-President, I feel that after the experience gained in my year of office there are matters connected with the constitution and functions of our society upon which I may usefully say a few words at this meeting; and I hope that these observations may not be considered to be out of place in coming from the President in the form of a paper, and not in the form of an address. It appears to me that the time has arrived when membership of our society should include every solicitor upon the roll. At present, out of the fourteen thousand solicitors who are upon the roll, only about one-third of that number are enrolled as members of this society; and when we consider the important functions which our society exercises with respect to the discipline of the profession and the examination of candidates for admission to it, and that the Incorporated Law Society stands forward and is acknowledged as the representative body of the whole profession, it ought, if it is to be thoroughly representative, to embrace every practising solicitor. In a very able paper which was read by the late Mr. Francis Thomas Bircham, at Liverpool, in October, 1875, the following passage occurs:—"To me it appears that the Incorporated Law Society will not be what it ought to be until every fitly-qualified member of the profession shall have joined it, shall have entered into its fellowship, given it his aid and influence, accepted its control, and thus done his best in regulating and helping and elevating the class to which he belongs." These are words pregnant with wisdom; but, although they were uttered now twelve years since, no step has been taken in the direction of giving practical effect to the important suggestion thus made. In a paper read by Mr. Marshall, at Liverpool, in October, 1885, reference is again made to this subject, and he notices, as one of the defects of our constitution, the insufficient support given to the Incorporated Law Society, especially by solicitors in the provinces. The time for energetic action in this matter appears to have arrived; and unless it is taken in hand and dealt with practically, the Incorporated Law Society can never be the thoroughly representative body of the profession which it should be, and in the end must be. No doubt, if all the solicitors on the roll became members of the society, it would follow that the whole body of the profession would elect the members of the council. The number of representatives on the council to be selected from London practitioners, and the number to be selected from country practitioners, would be a matter for consideration hereafter. If this fusion of the whole profession with the Society were accomplished, we should have achieved that which has been so long desired, namely, the unity of the profession; and the society in London, acting in the name of the whole body of the profession, would speak with redoubled authority, and the influence of the society would be very materially advanced. The scheme need not impose upon those who are not at present members of the society any serious burden. An increase of the fee now paid to the society as registrar of solicitors, which increase need not be of large amount, is all that would be requisite, and that increase could be made to constitute membership without any further annual subscription or payment. Another subject upon which I should desire to say a few words gathered from the experience of my presidential year, is the exercise by the society of its disciplinary functions over solicitors. These duties are increasing year by year very formidably. When I first had the honour of joining the council in 1873, it happened rarely that complaints were referred to the council with respect to the conduct of solicitors. There was probably an average of one a week, and the practice then was for the president to hand the papers to some member of the council, that he might consider them and report to the council at their next meeting. Now, the complaints addressed to the society, and the papers forwarded, have reached such magnitude, that it has for some years past been found necessary to have a special committee of the council called the Discipline Committee, who meet every week, and consider and report to the council. The work of this committee includes applications for exemption from our preliminary examinations, which are referred to the council by the judges, and the cases presented for the consideration of the Discipline Committee average weekly from thirty to forty, and in some cases involve the reading of masses of evidence and papers. I do not intend to suggest that the increase in the numbers of discipline cases is due to the increase of malpractices in the profession, as I believe the increase is not more than a rateable increase in proportion to the numbers which are every term added to our body, but I think the increase is due in great measure to the fact that the public and the profession generally are becoming more alive to the important functions which our society exercises in this respect, and so the assistance of the council is sought. I should mention that in the so-called discipline cases which are considered by the committee are included cases of the infringement by unqualified persons of the privileges of the profession. These are not inconsiderable, and are generally to be found amongst persons calling themselves accountants, who hold themselves out as legal practitioners. This latter class is summarily dealt with before a justice of the peace at the instance of the society, and numerous convictions have been obtained. But in those cases which are strictly disciplinary, and involve complaints of malpractices, these are necessarily dealt with by an application to the court. The applications have grown to very considerable proportions, and each application involves the collection of a mass of evidence to convict the delinquent, the briefing counsel, and other outlays and expenses, and the amount appearing under this head in our annual accounts is very considerable. A reference to the court in these cases seems to involve an unnecessary expense, and to be a waste of energy. The vast majority of the cases which

are brought before the court are applications for removing a practitioner from the rolls, or suspending his certificate. They consist chiefly of cases where punishment follows as a matter of course, the delinquent having been either convicted of a criminal offence, or having been proved to have misappropriated his client's money, or to have improperly retained it, or to have been guilty of other gross professional misconduct. The function now exercised by the court, at considerable cost to the society, could well be exercised by the council alone, subject of course, to the practitioner affected having the right to appeal to the court within a prescribed time, against the decision of the council. A suggestion to this effect was made by Mr. Lowndes, at Liverpool, in the year 1885, and he proposed that the council should apply for a fresh "charter, and should ask for the same powers to remove members from the roll for misconduct which the bar have of disbarring, subject to an appeal to the judges." Such a measure appears to be a necessary development of the functions which have, from time to time, been entrusted to the society, all of which have been exercised with the strictest justice and impartiality, and the time seems to have arrived when the jurisdiction and authority of the society over solicitors should be completed, by investing them with this additional jurisdiction. The third and last suggestion which I venture to make is this. Only those who have served upon the Discipline committee referred to, can conceive the number of complaints which are made that a certain class of solicitors, who are on the rolls, allow unqualified persons (usually clerks who have had experience in the office of a solicitor) to practice in their name, on a division of profit or some other arrangement, in which the delinquent solicitor is interested. Many cases occur where the solicitor appears to have offices at various places, where the business is conducted and carried on by a clerk in his name, the solicitor only visiting these offices occasionally for the purpose of keeping up appearances. These irregular practitioners are real pests to the public and to the profession. They tout for business in every direction, especially in accident and such like cases. They agree to do the business upon terms of "no cure, no pay," taking one-half the proceeds of the verdict or settlement as the price of their services. They squeeze the poor client from time to time for advances on account, and in the result they get hold of the amount of the verdict, or compromise and pocket the greater part of the proceeds, and then comes the complaint of the poor client to the law society. There is great difficulty in bringing about a conviction of delinquent solicitors of this class, inasmuch as his guilt can only be proved out of his own mouth, or the mouth of his so-called clerk, and we are very seldom able to get at sufficient facts to make out a *primâ facie* case for an application to the court—but if we do succeed in making out a case after going to the expense of preparing affidavits, and briefing counsel, the court upon being satisfied that a *primâ facie* case has been made out, refers it to the master to consider and report, and then the solicitor is brought up and examined. Then, and not till then, comes the pinching point, for if he be actually guilty of irregularity, he must either commit flat perjury (and he is seldom prepared for this) or be convicted out of his own mouth. He can be asked what salary he pays the so-called clerk, or how otherwise he is remunerated; who pays the rent of the offices where the business is carried on, and who pays the office expenses, and he is subjected to a searching examination, with a view to establish the fact, that although nominally he is conducting the business carried on in his name, it is really carried on by the clerk, who is actually practising in the name of the delinquent solicitor. It would very much facilitate the getting at the facts in cases of this nature if the council were empowered at the outset to examine the suspected solicitor on oath, without going to the expense of applying to the court, and then having the case referred to the master; and it is believed that if the council had summary power in cases of this nature, it would go very far to suppress the objectionable practice referred to, if not entirely to eradicate it. Of course, the suggestions thus made would involve going to Parliament for extended powers, having first obtained the views of the judges with respect to the proposals made; but the question of going to Parliament is a minor consideration when contrasted with the very great benefits which would be derived by efficient legislation in the direction indicated.

The Land Transfer Bill.

Mr. John Hunter (London) read the following paper on this subject:—The Bill "to further simplify Titles and facilitate the Transfer of Land in England," which has been brought into the House of Lords by the Lord Chancellor, is so great an advance on every scheme for improving the law of real property which has been laid previously before Parliament that it deserves full discussion and consideration at this meeting; and although the subject occupies a prominent place in the vice-president's address, I think a paper specially devoted to the proposals of the Lord Chancellor may be acceptable. The Bill consists of two parts, one referring to registration of title, the other to alterations in the law of real property. The memorandum prefixed to the Bill states that its object is to supplement and carry further the legislation effected by the Land Transfer Act, but the registration proposed by the Bill differs essentially from that established by the Act in most important particulars. Indeed, although the three names of absolute, qualified, and possessory titles appear both in the Act and the Bill, it appears to me that the names are the only point in which the scheme to be established by the Bill will resemble that established by the Act. Under the Act of 1875, as well as under the prior Act of 1862, all applications for a registered title came from volunteers, and, in practice, were applications for an absolute title. If the application for an absolute title was unsuccessful it was withdrawn, for no one wanted to be registered with a qualified title, which was direct notice to everyone dealing with it that there was a flaw in the title. The name of possessory title was first used in the Act of 1875, and I understand that not more than a dozen possessory titles have been registered under it. Registration under the Acts has, therefore, hitherto been registration with an absolute title, and to obtain this it was necessary to satisfy the registrar, by strict proof, that every link in the title was correct, and to exclude, by equally strict proof, the possibility of anyone other than the applicant having any interest in the land. The expenditure of time, and labour, and money required to prove a title for forty or sixty years in this way was enormous. The several instances quoted in the report of Mr. Osborne Morgan's Committee were, so far as my information goes, not exceptional, but only average cases; and although this elaborate and exhaustive inquiry into each title was no doubt absolutely necessary so long as the effect of a certificate of the registrar was to bar the claims of everyone to the registered land, the immense difficulty of proving to demonstration every fact and every document required to support a title, with its accompanying cost and delay, unquestionably prevented recourse being had to the registry. But the difficulties did not cease after a title was once registered. On each subsequent dealing with the land registered with an absolute title the formalities required were far greater than with unregistered land. Deeds had to be printed; every signature to a deed had to be proved by a statutory declaration. In the case of death of an owner, a devisee under his will could not be registered until he had served notice of his application on the heir-at-law, or obtained his consent, and a fresh *ad valorem* fee had to be paid on substituting the name of devisee or heir for deceased owner. In one case in which I was concerned I had to go to the Master of the Rolls for an order before the registrar would register the title of a purchaser from a first mortgagee selling under his statutory power, because I could not procure the consent of subsequent incumbrancers. In another case a client of mine bought a house and garden, one number on the register, and then bought an adjoining strip of land, being another number on the register, to enlarge his house; and on the transfer the registrar refused to amalgamate the two numbers, but obliged us to go on with two separate titles, and two certificates, involving double fees and trouble in every future dealing with the house. On a purchase by myself of land, the title to which was on the register, after the transfer to myself had been proved with all due formalities, I was required, before I got my certificate of title, to prove, by production of certificate of marriage, that I was not married before 1834. I subsequently made two small further purchases of adjoining land, and on each occasion had to produce the marriage certificate, to exclude the risk of my leaving a wife who could claim dower under the law repealed fifty years ago. The result of this particularity and want of elasticity not only deterred people from putting their titles on to the register, but induced them to take them off. The total number of original registrations under the Act of 1862 was 411, and as many as 170 titles have been taken off after being put on. The titles have been increased in number by sub-division of the original registration, so that these numbers do not imply that 17-40ths, nearly one-half of the titles, have been taken off the register; but they do show that registration, as hitherto worked, has been very unpopular.

With this experience of the past it is not surprising that those who desire to make registration compulsory should propound a new scheme for the future, and this, it seems to me, the Lord Chancellor does, although his Bill retains old names. In the first place, as registration is to be compulsory, everyone applying for it will naturally apply for what costs least money and time—viz., a possessory title. This may be obtained under the Act and existing rules by the applicant (or one of them, if more than one) and his solicitor making a declaration verifying the description of the land, and stating that, to the best of their belief, the applicant has a good title, and that possession or receipt of rents is in accordance with the title, and that if some one document, produced with the application, is marked by the registrar, the fact of registration of the title cannot be concealed from any other person dealing with the land. When the registrar is satisfied with the declaration and the description, and that the registration cannot be concealed, "he shall register the applicant with a possessory title." Under the Bill this possessory title can be made absolute by the applicant stating on affidavit, with particulars to be prescribed, that he has made due inquiry into the title, that he is not aware of any question affecting it, and that the confirmation of it will not prejudice any interest of any other person in the land. Certain notices are then to be given locally and by advertisements, and to be repeated for five years. If no adverse claim is made during the five years, the applicant's possessory title may be confirmed by the registrar, and become an absolute title. Thus it will be seen that, instead of an applicant for an absolute title having to produce strict proof of his title for forty years preceding his application, and equally strict proof to negative the rights of every other possible claimant, and of these proofs being examined by the officials, in future he will have to produce only some one document for the purpose of its being marked, so as to insure subsequent dealers with the property having notice that the title is registered, and his title may be made absolute without any investigation whatever by officials on the evidence of the applicant himself and his solicitor, if no adverse claim is put in after five years' advertising. The pendulum could hardly swing further from one side to the other—from excessive precautions to prevent improper registration to excessive anxiety to facilitate registration from all comers.

The absolute title under the Act, when obtained, differs almost as much from the absolute title under the Bill as the two modes of obtaining it differ. Under the Act the "first registration of any person as proprietor of freehold land with an absolute title shall vest in the person so registered an estate in fee simple in such land, together with all rights, privileges, and appurtenances belonging or appurtenant thereto" (subject to incumbrances and to unregistered equities as therein mentioned), "free from all estates and interests whatsoever." This conferred on the proprietor what is usually known as an indefeasible title. But under the Bill a certificate of absolute title is not intended to protect the first registered owner from any claims, for by section 10, sub-section 5, it is to be enacted that "If by reason of the confirmation under this section" (which enables the enlargement of possessory into absolute titles) "of the

title of the proprietors of any land, any person is deprived of any estate, right, or interest in the land, the proprietor, his heirs, executors, and administrators shall be liable to pay compensation for the same, in like manner as for an injury to the property of that person." And by section 16, sub-section 1, "Where a person satisfies the High Court that he has been deprived of any registered land by any forgery or fraud, or by any error of the Land Transfer Board or any of its officers, the court may either order compensation to that person out of the insurance fund, or order that the land shall be restored to him, and that the person losing the land shall receive compensation out of the insurance fund" to be established under the Bill. The result is that a person with a certificate of an absolute title may, if he is first registered owner, have to pay compensation to a former dispossessed proprietor (apparently without indemnity from the insurance fund); or, if he is a purchaser from a prior registered owner, he may have to fight for his title in court, and if beaten have to give up his land and take money compensation from the insurance fund. In fact, the Bill practically admits what was pointed out both in the statement on the land laws published by the council of this society, and in the paper on land transfer published by order of the Bar Committee, that it is possible that in dealings with property with a registered indefeasible title, some person might by fraud or by error get himself put on the register as a transferee, devisee, or heir of the first proprietor, and immediately sell and confer an indefeasible title on a purchaser. In this case, either the rightful owner from whose name the land had been wrongfully transferred in the register, or else the innocent purchaser must give up the land, and the indefeasible title will be defeated as to one or the other. The existing register has been so little used that so far as I know we have had no example of frauds or errors as yet, but the statement quoted by the Bar Committee in their paper, that the losses by the Bank of England through fraudulent transfers of stock for a period of ten years averaged £40,000 per annum, shew that the possibility of the creation by fraud of error of two absolute titles to the same land at the same time in two equally innocent holders cannot be ignored. Within my own experience in Ireland the Crown actually sold to a purchaser, and conveyed to him for a valuable consideration, land to which another person, a client of mine, had a prior indefeasible title under the Incumbered Estates Court.

The Bill, as I have just shewn, practically abandons the attempt to confer an absolute title, and it would be an improvement if, in this respect, the wording of it were made to correspond with the fact, and an alteration suggested by a committee of our council to the Lord Chancellor adopted, by which the principle of a guaranteed title should be substituted in name for an absolute title; and it were enacted that every person who gives the Land Transfer Board the information and evidence which they may prescribe as sufficient should have a guaranteed title, with a right to be indemnified out of the insurance fund in the event of anyone other than the guaranteed owner successfully maintaining his right to the property or to any interest in it. To effect this it would be necessary only to alter section 10, sub-section 5, and section 16, so as to provide that in case of a claim prior in title to a registered owner being established, the court should order the re-transfer of the land to the rightful owner, and order indemnity to the registered owner out of the insurance fund. If the promoters of the Bill think that section 10 must remain unaltered, and that a first registered proprietor and his representatives ought not to be protected against prior claims discovered after registration, they surely ought not to exact an insurance premium on first registration. If the guarantee principle, pure and simple, were adopted, registration of title would be conducted as the ordinary business of an insurance company, with, of course, the inevitable disadvantage to the public that as the board would have a monopoly there would be no competition to compel them to keep up to the mark, but the board would soon ascertain by experience what evidence was sufficient, and what premium of insurance should be charged. The rules prescribing the evidence to be furnished by applicants, and fixing the premium to be paid for insurance, could be altered from time to time to meet the result of the experience gained, and, under able management, the business of first registration of title might be conducted with the minimum of friction and expense, and the maximum of security.

But the instances I have quoted above of the requirements of the registrar under the Acts in cases of dealings with land subsequent to first registration, shew that the difficulties do not end when the title is on the register. The Bill contains no new provisions as to registration of transfers, but the regulations now in force as to this branch of the business will have to be altered as much as the requirements on first registration are proposed to be altered, or they will break down under the weight of business. It is impossible to predict with any certainty the amount of business likely to pass through any particular office, but assuming the London district to be conterminous with the metropolitan police district, which extends fifteen miles from Charing-cross, and which contais no part of any district registry of the High Court, the following facts may help us to a conclusion as to what will have to be done in it. The county of Middlesex is equal to about two-fifths in area of this district. The documents registered in Middlesex have been as many as 40,000 in a year. They are documents relating almost exclusively to freeholds, and leaseholds with more than twenty-one years to run, and so are the same class of documents as will have to be entered in the new register. If dealings with land in the same proportion take place in the City of London, and in the metropolitan parts of Surrey, Kent, and Essex, as in Middlesex, this would give 100,000 dealings per annum independent of first registrations. The entire number of registrations in the Land Registry in the twenty-five years of its career would not equal a month's work in the new office for the London district alone; and the rules which worked without difficulty when the documents to be registered were one or two in a week, will cause a hopeless block when transfers have to be registered at the rate of hundreds a day. The Bill very wisely leaves a large part of the machinery to be established by rules, but this makes it of the utmost importance that the rules should be well considered by the persons who will have to work under them, and that ample time should be given for their consideration; and in this view the council have suggested to the Lord Chancellor that the committee by whom they are to be framed should include the members of the Land Registry Board, and also representatives of the bar and the law societies, and that a substantial interval of time should elapse in each case between the establishment of a land transfer district by Order in Council and the day to be specified in the order on and after which registration is to be compulsory. For if the machinery is not such as will work and give satisfaction, the ingenuity of mankind may safely be trusted to find some way of dealing with land outside the register, and the complications of title ensuing on such an attempt will be worse than ever.

Having thus far explained the facilities for obtaining an absolute title under the Bill as compared with the difficulties under the former Acts, and the difference in the position of a registered owner with an absolute title under the two systems, I wish to point out the inquiries that will still have to be made by a purchaser from an owner registered with an absolute title before he can be safe.

(1) In consequence of the Settled Land Act, and of the new mode of vesting trust estates in trustees under the Conveyancing Act, it will be necessary in many cases to notice trusts on the register; and unless the Legislature will enact that purchasers from trustees are not to be affected by this notice, a purchaser will have to look into the trusts and see that the sale is in accordance with the powers of the trustees; he will also have to ascertain that the conditions of sale under which he buys are such as a trustee may properly use (if they are not, the case of *Dunn* v. *Flood* (33 W. R. 315, 28 Ch. D. 586) shews that he purchaser will not have a good title against the *cestuis que trust*); and the purchaser must take the precaution of paying his purchase-money to all the trustees in person, or to a banking account in their joint names as prescribed in the case of *Bellamy* v. *Board of Works* (31 W. R. 900).

(2) The registry gives no protection against succession duty. Unless the Legislature will repeal so much of section 42 of the Succession Duty Act as makes the duty a charge on real property in the hands of all persons claiming under the successor, no purchaser can be safe against having to pay succession duty due from other persons on past successions, without examining the title since 1853, and seeing that on every devolution of the land by death all duties have been paid.

(3) Until a central register of judgments, rent charges, &c., is established, the purchaser will have to search at the Land Commissioners' Office and elsewhere for improvement rent charges, at the Central Office for judgments, at the Enrolment Office for annuities, at the Bankruptcy Office for bankruptcies, and so on; and to take his risk of rent charges under the Agricultural Holdings Act and others, of which no register exists. A Bill to establish one central registry for all these incumbrances is now being promoted by the council.

(4) To have boundaries guaranteed on the register will take five years, with notices in the meantime to adjoining owners and others; and any person applying to the Land Transfer Board, or to the court, to object to the proposed boundaries is to have his costs paid by the registered owner; and if by the registration of boundaries after the five years' inquiries any person is deprived of any right, the registered owner will have to compensate him out of his own funds, not out of the insurance fund. I do not suppose that many persons will apply to register their boundaries on these conditions, and where they do not the purchaser must make his own inquiries as to boundaries; he will also have to ascertain from some other source than the register whether there are any charges for land tax and tithe, whether either the public or adjoining owners have any easements over the land, and the terms of the tenancies when let.

(5) If the subject-matter of the purchase is leasehold, the purchaser must ascertain by inquiries and evidence that the rent has been paid and covenants performed.

These inquiries, of course, have to be made now. I only refer to them as shewing that the new scheme falls far short of enabling land to be dealt with, as Stock Exchange securities are, without inquiry and without expense beyond that of looking into a book kept by officials to see who the owner is. If the Land Transfer Act of 1875 is to affect all land in the future, there will no doubt be some points on which it will want amendment. The Lord Chancellor proposes, by the amendments introduced into the Bill, to repeal section 83, sub-section 2, which prohibits registration of the ownership of an undivided share, but he does not deal with the more important section 21, which repeals the Statute of Limitations so far as relates to registered land. This, I think, should be repealed, and some plan providing for registration of title of persons acquiring title by adverse possession should be adopted, and the entry on the Land Register of judgments in ejectment, or at least of execution of writs of *habere possessionem*, of decrees of foreclosure, of vesting orders and other orders transferring the ownership of land, should be made compulsory. There are several other alterations in points of detail which require consideration in the Bill and in the Act of 1875, which have been suggested to the Lord Chancellor in a report submitted to him by the council, but it is impossible to go into details in this paper. I fear I have done so too much already, but if it is now decided by the Legislature to adopt a scheme of compulsory registration, I am sure it is as much our interest as it is that of the public and our clients to endeavour to get the scheme made as successful and as workable as it can be. The observations in this paper which point out defects in the new scheme are intended only to call attention to them, so that if they are defects they may be

cured in time, and the suggestions for alterations in the scheme are made solely with the object of promoting the objects of the Bill—viz., to simplify titles and facilitate the transfer of land.

As to that part of the Bill which deals with reforms of real property law, it is certainly startling to see the proposals made by a Lord Chancellor in a Conservative Ministry, and approved by the House of Lords with scarcely a dissentient voice; but for myself I hope to see them extended. Clauses 6, 30, 31, and 32 vest real estate on death of its owner in his personal representative, and provide that on intestacy it shall descend as personalty, except that it gives a surviving husband or wife, in case of intestacy, a life interest in the whole, instead of giving a husband the whole and a wife one-third or one-half, as the case may be, as is now the rule in personalty. This is an important step in the direction of assimilating the law of real and personal estate; but it seems to me to be a mistake to create a fresh distinction between them by giving a surviving husband and wife different interests in the two classes of property, as, unless the beneficial interest in the two classes of property devolves in the same way in all cases, the questions now arising in administrations as to the order in which the two classes of property are to be applied in payment of debts will continue to arise. Clauses 33 and 34 prohibit the creation of estates tail in future, and enact that the estate of any tenant in tail capable of barring his estate without the consent of any other person shall be barred by the statute without the necessity of a deed. This appears to me a half-hearted reform. The only justification for interfering with estates tail is that, in the opinion of the Legislature, they are against public policy. If they are so, the sooner they are put an end to without injustice to individuals the better. The protector of a settlement has no interest which can be affected by a statutory disentailment without his consent. No subsequent tenant in tail can have formed any expectations on which he can justifiably rely on the promise of a protector to refuse his consent to a disentailing by a prior tenant in tail, and if entails are to be put an end to the clauses should be amended so as to enact that the estate tail of every tenant in tail who, on the passing of the Act, is, or subsequently becomes, of full age, and is of sound mind, shall be enlarged into an estate in fee simple without prejudice to any prior estates, or the powers attached to them. This alteration would put an end to nearly all entails in twenty-one years; the clauses in the Bill will not put an end to them for another generation. Clause 35 enables capital money to be applied in redeeming rent charges created to raise money for effecting any improvements authorized by the Settled Land Act. The council had previously promoted a Bill for this object. Clause 20 enacts that a mortgage to secure further advances up to an amount named shall have priority for the full amount named over advances by other lenders, thus repealing the law as laid down in the case of *Rolt* v. *Hopkinson*. The doctrines of tacking and consolidation of mortgages, evolved by the court out of the apparently innocent maxim that he who seeks equity must do equity, have proved very inconvenient, and frequently have worked great injustice to innocent persons; and now that it is proposed to amend the law relating to mortgages given to secure further advances, I hope to see these two doctrines also repealed, for I think this would greatly facilitate mortgage transactions, as each separate mortgage would then be, as it ought to be, a separate transaction. To this part of the Bill the council have suggested that clauses should be added to repeal the Statute of *Quia Emptores*, so as to enable grants in fee to be made reserving rents, as a substitute for building leases, against which there is such a strong feeling at present. I think that the repeal should extend to the statutes of Elizabeth against fraudulent conveyances, so as to put voluntary gifts of real estate in the same position as personal estate, liable only to be set aside in the event of bankruptcy. We are promised a consolidation of the law of real property when the present Bill has passed. Before such a consolidation is attempted time and money will be well spent in issuing another Royal Commission, similar to that of 1828, to thoroughly investigate the laws of real property, and to recommend such alterations as may be required to put them on a footing suitable to the present time in exchange for the feudal basis on which they have rested since the Norman conquest. If such a commission is issued, and the commissioners follow the precedent of 1828 and apply to members of the legal profession practically acquainted with the law of real property for information and assistance, it is abundantly clear from the published statement of this council on the land laws, and from the paper entitled "Land Transfer" published by the Bar Committee, to which two documents I am indebted for many of the materials for this paper, that no antiquated prejudices on the part of the practitioners educated under the old system will prevent their rendering every assistance in their power to establish a new one. Whether the constructive skill of the present generation is sufficient to create a new system capable of enduring for another period of 800 years we must leave for our remote descendants to decide.

P.S.—This paper was in print before the proposed amendments to the Bill were published. The Bill now contains clauses to provide for registration of succession duty as an incumbrance; but it appears to me doubtful whether the difficulty suggested in the paper can be effectually cured except by altering section 42 of the Succession Duty Act. The references throughout the paper are to the clauses as numbered in the first draft of the Bill.

Mr. C. Ford (London) said that at the last general meeting he had placed a notice on the paper, suggesting that the time had come when these miserable applications to the court in regard to removing the names of solicitors from the roll should be put an end to. It was most injurious to the profession that they should be reported throughout the length and breadth of the land by the newspapers. He could not see why they should not, in the first instance, be dealt with by the council, with an appeal to a judge in chambers. He would suggest, for the consideration of the council, that it was a great grievance that unqualified persons should be permitted to practice in the Probate Court. They knew the unfortunate result of the recent costly litigation the society had entered into with regard to the law stationers. He asked that the society should consider it, so that a clause might be inserted on the occasion of any legislation, to provide that none but qualified practitioners should be allowed to practise in any court. They must recollect, with regard to consolidation, that there were thirty-five country law societies, and they must not expect that every country solicitor could be expected to join this society. There should be a system of affiliating the country law societies to the London society.

Mr. Munton (London) thought the papers which had been read were very excellent ones. Of course the papers read by the president and vice-president would naturally command attention, not only within but also without the society, and it was highly important that it should go forth that their views on the important topics on which they had touched carried the support of the society. As regarded the registration of titles of land, which had been suggested by the vice-president, there was no sort of doubt that every member of the profession agreed that in the abstract some such thing was desirable. But the main question was: Is it possible to have such a scheme as would be workable? And when they had evidence that such a scheme was practicable, the public might well consider the views expressed by them. It had been said that solicitors were interested in preventing reforms of this character, but he believed the time had come when the intelligent public had come to the conclusion that solicitors of all others were most anxious that reforms of this kind should take place. He thought it was also admitted that this society was extremely anxious to do all it could to facilitate measures of this kind. With regard to the amalgamation of the profession, those who had dined at the Law Courts on Saturday evening would, he thought, endorse the views of the Attorney-General when he said that he hoped the time would never come that the two branches of the profession should be amalgamated, and he (Mr. Munton) agreed that he had made a very good suggestion when he had said that the greatest facilities should be given for the transfer from one branch to the other, and there ought to be precisely the same facilities for going from the solicitor's branch to the bar as there were for going from the bar to the solicitor branch of the profession. Unfortunately at present there was an arrangement of the benchers which prevented solicitors from going to the bar until they had been silent for one whole year after they had ceased to be solicitors. He trusted the council would be able to induce those in authority to pass a resolution to carry out the Attorney-General's view so that the most perfect facility should be given for going from one branch of the profession to the other. The solicitor should be at liberty to be struck off the rolls at his own request, and to at once pass the examination of the bar so as to be placed exactly in the same position as the barrister coming to the solicitor branch. With regard to the disciplinary powers of the council, the meeting generally would desire to give the council full power as to discipline. He hoped the time would come when every member of the profession should be a member of the society, and that his respectability and position in the society should be to some extent known by the fact that he was a member of the Incorporated Law Society; and if all solicitors were bound to become members, the council, as the executive body, should have power to deal with many very important questions which were arising every day between solicitors but which could not be subject to court dealings, and which they would be extremely glad if the council could settle. The meeting could not have been commenced with three better papers than those they had heard read.

Mr. Pennington (London) said the Land Bill was now before Parliament, and the council were in communication with the Lord Chancellor—in fact, some of them would see his lordship to-day. It seemed to him (Mr. Pennington) very unfortunate if they were to miss the opportunity which the occasion gave them of ascertaining from the country members of the society their views upon the matter. He would suggest that gentlemen in London should be so good—at any rate, while this subject was under discussion—as to give way to their country friends. They would be able to obtain from them probably an opinion of the greatest possible value which they would not have any other opportunity of getting. The only other matter which occurred to him was one which he would not have mentioned but that he was treasurer of the society, and, therefore, interested in the question alluded to by the vice-president, and, to some extent, by the president—that was the increase in the number of members of the society. Of course, it was a very important matter. It was a matter of finance, and the fact was that the number of articled clerks had begun now to decrease. That was a matter, very likely, for congratulation; but, of course, from the financial point of view it had another aspect. He looked at it from the financial aspect, as the council were frequently told that they received a very large sum as a revenue from articled clerks. If their revenue from that source decreased, it was certain they must get a revenue from some other source. Therefore he would anxiously impress upon all the members the point that they should, to the utmost of their power, until some legislation was arrived at which would enable them to act upon the lines suggested by the president—that all members should be kind enough to do whatever they could to increase their numbers.

Mr. Melvill Green (Worthing) suggested that the Land Transfer Bill should be discussed first of all, and the other subjects be taken by themselves.

The President thought the suggestion a good one, and invited the country members to express their views with regard to the Land Transfer Bill.

Mr. Bernard Wake (Sheffield) said that at the meeting at York last year a paper had been read by Mr. Barker, of Huddersfield, upon registration. It had called forth expressions of approval from all present, but especially from Yorkshiremen. They had got now in Yorkshire an amended registration which worked to the very greatest benefit. With the greatest facility he could enter a caveat, if he was going to deal with particular property; when

he had dealt with the property he could require a memorial, and by the post he could send that document to Wakefield. The whole registration was then effected with the least trouble possible. He did not mean to say that registration of deeds would supersede the Lord Chancellor's Bill, but there seemed to be a tendency on both sides, Radical or Liberal, to go into some title registration. He wanted to impress it upon them that deed registration was very good in Yorkshire, and might be adopted throughout the kingdom as a prelude if they liked to title registration.

Mr. MILLER (Bristol) said that what appeared to him to be a desirable feature, and one which ought to be an object of the council in addressing the Lord Chancellor, was the amalgamation of the Land Transfer Act of 1875 with the proposed Land Transfer Bill of the present session. The Act of 1875 had 100 sections, and innumerable sub-sections, and a set of rules. The proposed Land Transfer Bill would have unknown numbers of statutory rules, and there would practically be four documents to refer to in working it. This would make it very vexatious and troublesome, and would lead to delay and to an enormous amount of litigation, and to very bad results indeed.

The PRESIDENT said that the following passage occurred in the council's report, which had been sent to the Lord Chancellor:—"The Bill, however, is only supplemental to the Land Transfer Act, 1875, and it is absolutely necessary that before the system can be properly worked there should be a consolidation of the two statutes, so as to remove the unavoidable confusion inherent in an attempt to graft a system of compulsory registration upon one which was merely optional."

Mr. JOHN LEWIS (Wrexham) suggested that the report should be read.

The PRESIDENT: I am afraid there is an objection to that. The council have received the views of all the country law societies upon the entire Bill, and in framing the report they had had regard to all the important suggestions received. After we have seen the Lord Chancellor upon the report, probably we shall be able to read it to the meeting.

Mr. FORD asked if a copy of the report had been sent to the country law societies?

The PRESIDENT; No; to the Lord Chancellor only.

Mr. LAKE (London) moved that, having regard to what the President had said, the discussion of the Land Transfer Bill be postponed until the following morning.

Sir THOS. PAINE (London) seconded the motion. He said they would be able to communicate the report to the meeting on the following day, and then it could be more advantageously discussed.

The motion was agreed to.

A HISTORY OF SOLICITORS AND ATTORNEYS.

Mr. F. E. SAWYER, F.S.A. (Brighton), read an excellent paper on this subject, suggesting the collection and publication of all records relating to the profession, and sketching the heads of research and discussion. We hope hereafter to print this paper in full.

After the adjournment for lunch,

SOME COMFORTING COMMENTS ON LEWIN v. WILSON (11 App. Cas. 639).

Mr. BERNARD WAKE (Sheffield) read a paper on this subject in which, assuming for the time the position of judge, he humorously and carefully summed up to the audience as jurymen, the cases of *Chinnery* v. *Evans* (11 H. L. 115), *Adnam* v. *The Earl of Sandwich* (2 Q. B. D. 485), *Harlock* v. *Ashberry* (19 Ch. D. 539), *Newbould* v. *Smith* (33 Ch. D. 127), and *Lewin* v. *Wilson* (11 App. Cas. 639), and concluded by submitting the following propositions:—

1. That so long as *Harlock* v. *Ashberry* and *Newbould* v. *Smith* remain unreversed (I fear that Privy Council decisions on colonial cases do not override those of our appeal courts) no mortgagee is safe who does not call in his mortgages *every* twelve years.

2. That legislation is needed to reverse the decision in *Harlock* v. *Ashberry* and in *Newbould* v. *Smith*, unless the latter be, as I hope it will, reversed by the House of Lords.

3. That the finding of facts by judges without the intervention of juries, and the consequent summing up process is dangerous [*e.g.*, I urge that any *jury* would find that Newbould was the agent of Smith to pay Alderson interest.]

4. That the law is now in confusion, because one court has decided that it is "not the duty of a solicitor to receive money" [*Viney* v. *Chaplin* (2 De G. & J. 468) and *Bellamy* v. *Metropolitan Board of Works* (24 Ch. D. 387)] and another court has decided that when a solicitor does repeatedly receive and pay money, he does it as *solicitor*, and not as agent [*Newbould* v. *Smith*].

5. That it is advisable, in the very frequent case of solicitors acting for both mortgagor and mortgagee, and paying interest for the mortgagor, and receiving it for the mortgagee, to create a clear agency by each party giving notice to the other that the common solicitor is also the common agent.

THE INCORPORATED LAW SOCIETY AND LEGAL EDUCATION.

Mr. CHARLES FORD (London) read a paper on this subject, in which, after referring to the obligation of the society in regard to legal education, and stating that, "out of £11,000, which must be applied to education purposes alone, we pay only £300 a year for what is called legal education, in the provinces; and only a small percentage of articled clerks at such places attend these lectures," and "that the society's examinations, as testing the extent of legal studies by articled clerks, are not satisfactory, and I have always contended that the office of examiners of our society (who are now, as I think, overpaid) should be thrown open to public competition, as in the case of the universities and other seats of learning;" and that, "in point of numbers alone," the lectures and classes provided by the society in London "are a complete failure," he concluded by asking leave to move as follows:

1. That in the opinion of this meeting it is desirable to take steps to provide a fund with which to create a scholarship to be called the Victoria Scholarship, with a view to the better encouragement of legal study by articled clerks, and also as a lasting memorial of the Jubilee Year of the reign of Her Majesty Queen Victoria.

2. That the following be constituted a Committee (with power to add to their number) to act with the council of this society in carrying the foregoing resolution into effect: The presidents and secretaries, for the time being, of the several provincial law societies; and

3. That a sum of 500 guineas be at once contributed as a first donation by his society towards "The Victoria Scholarship Fund."

The PRESIDENT: I am afraid we cannot allow your resolution, except in the form of a recommendation to the council.

Mr. G. R. DODD (London) seconded the motion. He said he was very much in favour of increasing legal education. The society could well afford to do what was asked, and were in a good position to vote a certain sum for the purpose. The society had received large sums from articled clerks, and had not expended the necessary funds in encouraging them in the way of education. He was not quite prepared to follow Mr. Ford in all his resolutions, or anything like them, but he would second the motion as to scholarships.

Mr. H. BRAMLEY (Sheffield) said the difficulty in the case of scholarships was to maintain the interest of the articled clerks in the scheme. They began very ardently, but soon dropped off, and at the end of the third year the interest had entirely subsided. It was difficult for an articled clerk to devote the necessary time to preparing for these scholarships and to read up for examinations and carry on his office work. The tendency also was for one man to carry off all the honours. The old system which had prevailed when he was an articled clerk—namely, that each man had to make himself master as far as he could of his own profession—was the very best of systems.

Mr. HOWLETT (Brighton) expressed himself in favour of articled clerks learning their profession practically, and not becoming mere bookworms. The clerk who was absorbed in seeking after scholarships and prizes was too often in the Library when he ought to be at the office. Therefore he thought too high a scale of education was to be deprecated.

Mr. M'LELLAN (Rochester) gave it as his opinion that if prizes of too great value were offered it would have the effect of taking up the time of those who were anxious to secure them, and they would devote it to study simply for honour, instead of devoting it to their practical work. He did not see how they could be compelled to devote a certain part to practice and part to study, especially if the value of the prizes was very great.

Mr. J. J. COULTON (Lynn) said that, as far as his experience went, the most studious clerks were the best practical men.

Mr. GREEN (Worthing) said it was not the men at the top who should be looked after principally. What they ought to do was to raise the men who were at the bottom. It was not at all sensible to take men away from practical work; and he doubted very much whether the benefit of law lectures was not greatly exaggerated.

Mr. S. DAY (London) proposed as an amendment: "That this meeting has every confidence in the council of this society in promoting the education of students, and desires at this time to leave them wholly unfettered in the matter."

Mr. FORD said that was not an amendment.

The PRESIDENT: I rule that it is.

Mr. J. A. ROSE (London) said that if Mr. Ford's proposal was a practical one, he must say, from many years' experience of that gentleman, that it was the first practical resolution he had ever brought forward. He (Mr. Rose) had the most absolute confidence in the council. He did not believe in the value of lectures, but insisted on the necessity of an articled clerk receiving a good sound practical education.

Mr. V. I. CHAMBERLAIN (London), speaking as one of the society's examiners, said he had been struck by the good sense shown by articled clerks in their answers to the questions. The solicitors of the present day had pitchforked at their heads Acts of Parliament and new rules in a manner which was perfectly appalling, and how were these to be understood unless by a proper system of lectures and examinations?

The amendment was carried.

The PRESIDENT was proceeding to put the amendment as a substantive resolution, but

Mr. FORD asked permission to withdraw his motion.

Mr. DAY also withdrew the amendment.

Mr. GREEN said the president had said in his paper that every solicitor ought to become a member of the society. He (Mr. Green) would like to suggest some way by which this could be effected. If solicitors were asked to join the society, they sometimes answered, "What shall I get by it?" He would suggest that there should be some such arrangement as existed in the medical profession. He would have every solicitor compulsorily a licentiate of the society without its being incumbent upon him to pay any subscription. Three years afterwards he should be at liberty to become a member if he pleased, and ten years after membership he should be entitled to be made a fellow. Membership would carry with it the present privileges, and a subscription would be paid as was the case now. The tendency would be that the licentiates would not like to be in the third class and they would become members, and the society would thus keep touch of the whole of the profession. The society would then be able to improve the discipline of the profession, and any action would come with much greater weight from the council, as representing the whole profession, instead of a section merely.

Mr. OSBORN (Shifnal) thought the provincial solicitors would derive great advantage if they could be furnished with an outline of the work done by the society. Digests of the report appeared in the legal papers; but this was not sufficient, for they did not give to the country solicitors the legal

idea of the work done. A solicitor, as soon as he had passed his examination at once lost touch of the society.

Mr. GREEN moved "That the council be requested to consider whether the whole profession can be brought into union with the Incorporated Law Society by the institution of licentiates, members, and fellows, as was done by some other bodies, every solicitor being *ipso facto* a licentiate."

Mr. LOWNDES (Liverpool) remarked that it would be necessary to have a new Act of Parliament and a new charter.

Mr. MILLER (Bristol) thought the suggestion a step in the right direction. If they needed an Act of Parliament and a new charter, let them get it.

Mr. MUNTON (London) liked the proposition. He asked whether some member of the council would say whether it was a favourable suggestion.

Mr. G. R. DODD (London) observed that at the College of Surgeons there were free examinations for membership and fellowship.

Mr. B. G. LAKE (London) hoped the resolution would be carried. It only asked the council to consider a question which they were always considering more or less, with the intention of doing all they could to extend the number of members. The resolution would come with great weight from the meeting.

Mr. BRAMLEY (Sheffield) said they had been discussing what was to be done with defaulting solicitors, and the carrying of the resolution would be very advantageous in that respect. If every solicitor on admission became one of the society, and if they could get an Act passed for exclusion by the council of a member, practically meaning striking him off the rolls, they would then in the case of defaulting solictors, get a satisfactory method of dealing with them.

Mr. DIBDIN (London) suggested that the certificate duty should be abolished, or a part devoted to the payment of the subscription to the society.

Mr. A. E. SHAPLAND (South Molton) did not think anything of letters being placed after their names, and was not in favour of placing a mark against solicitors who had been struck off the rolls. They were struck off and there was an end of them.

Mr. RUBENSTEIN (London) said he had read a paper at the provincial meeting three years ago, and his first suggestion had been to place letters after the names of members of the society.

Mr. W. M. WALTERS (London) did not think solicitors would value very much the privilege of putting letters after one's name. They were at liberty now to put S.S.C. and M.I.L.S. after their names if they chose. He did not quite see the object of making licentiates, unless it was followed up by an Act of Parliament giving the council that control over solicitors which was now vested in the judges. He would be a strong advocate for that.

The motion was carried unanimously.

Mr. FRANCIS D. LOWNDES (Liverpool) read a paper entitled

OUGHT A SUCCESSFUL LITIGANT TO BE RECOUPED BY HIS OPPONENT ALL HIS REASONABLE PROFESSIONAL EXPENDITURE IN OBTAINING OR DEFENDING HIS RIGHTS?

After sketching the origin and history of the present system, he said: The scale of charges to be allowed to solicitors in respect of litigious business was contained in certain rules which were issued under section 17 of the Judicature Act, 1875, and for these the Rules of the Supreme Court, 1883, are now substituted. These rules contain two scales of costs, called the higher and lower scale; but it is to be observed that the higher scale is only to apply to those cases in which, on special grounds arising out of the nature and importance or the difficulty or urgency of the case, the court may direct the higher scale to apply. Before considering how far these scales of costs are adequate for the remuneration of solicitors, I desire to point out that there are three modes of proceeding in the taxation of bills of costs. The first mode is strictly and simply as between party and party; the second is between party and party, but when the costs are taxed as between solicitor and client—that is to say, when the opposite party has to pay the amount allowed to the successful party; and thirdly, between solicitor and client when the client has to pay his solicitor. With regard to the third case I do not propose to say anything, as it rests upon quite different ground from the other two. But, with regard to the other two, it appears to me to be a matter of grave consideration whether it is not desirable that the distinction which now exists between them should be abolished, and all bills of costs between party and party be taxed upon the same basis as solicitor and client bills of the first mode of costs. Now in what respects does a party and party and solicitor and client taxation differ? The principle upon which costs are to be taxed as between party and party is laid down in Morgan and Davey's work on Costs, as follows: "No costs are to be allowed which do not appear to the taxing officer to have been necessary or proper for the attainment of justice or defending the rights of the party, or which appear to the taxing officer to have been incurred through over-caution, negligence, or mistake, or merely at the desire of the party." And when the costs are to be taxed upon the second mode to which I referred, viz., when the costs are taxed as between party and party, but the costs are taxed as between solicitor and client, the general principle seems to be that the successful party shall be entirely free from what are usually called extra costs. In practice the difference between these modes is chiefly felt in three particulars: first, in the disallowance in the former case of the solicitor's charges for attendances upon, and correspondence with the client, for instructions to prepare statement of claim or defence; for the solicitor's attendance at the trial, and hearing of an appeal; and for the expenses of witnesses. With reference to the first, certain stereotyped charges are allowed for instructions to sue or defend for statement of claim or defence; and it is in respect of these that the clients largely suffer, as the scale charges are very inadequate to remunerate a solicitor. A great improvement has been made in allowing a discretion to the taxing officer in dealing with the item of instructions for brief. When an action has reached the stage when if settled the costs of instructions for brief can be included, the hardship referred to is in part remedied, yet in all cases settled before that stage the client has a large bill of extra costs to pay his solicitor, for work necessarily incurred, which the stereotyped charges do not cover. Now the remedy I would propose is that the taxing officers should have a similar discretion, in regard to the allowance for instructions to sue or defend, as well as for statement of claim or defence. If the action proceeds to the stage of instructions for brief, the taxing officer would of course take into consideration the previous allowances in determining the amount he would allow under that head. The second point which calls for remedy is one which affects provincial suitors mainly, viz., the disallowance for the attendance in London of the country solicitor at the hearing either of the action, if it takes place there, or on a motion for a new trial or an appeal. The client looks to his solicitor to be present on all these occasions, and his presence is absolutely necessary at the trial with the witnesses. It is impossible for the London agent to take the place of the country solicitor on this occasion, and in most cases where there is a motion for a new trial or an appeal, the attendance of the country solicitor is of the utmost importance to the client. If the position is reversed, and the defendant resides in London, and the trial takes place in the country, the defendant's solicitor, if successful, is allowed for his attendance in the country. There is surely no good reason why the London suitor should be placed on a different footing from the country suitor in this respect. The third item which occasions much loss to successful suitors is the inadequacy of the scale allowance to witnesses, more especially in regard to the allowance to professional witnesses. I consider it quite unnecessary to enlarge upon this point. The experience of everyone present must be sufficient to convince him of the hardship which the present system inflicts upon a successful suitor. I cannot discover any good reason for the distinction of the two modes of taxation being retained. Is a successful suitor entitled to be indemnified by his opponent or not? I remember Dr. Lushington once saying that the maxim was good in law as well as in war, *ce victis*. The change would, no doubt, cause additional trouble and responsibility upon the taxing officers. Upon this point I should like to quote some remarks made by three eminent judges, which seem pertinent to the whole question of this paper. The first is the judgment of the Court of Queen's Bench, delivered by Lord Campbell in *Howes* v. *Barber*:—"The reasonable expenses to which the plaintiff is put by being obliged to attend and be examined as a witness to enforce payment of a just demand, or to seek redress for an injury, should be thrown on the wrongdoer. Again, if an unfounded action is brought, and the evidence of the person improperly sued is necessary for his defence, he is not indemnified if his own expenses are not allowed to him. At the same time the mere fact of the parties being examined is not by any means to be consided sufficient to establish a claim for their expenses as witnesses; and if it appears that their attendance was unnecessary, or that its real object was to superintend the conduct of the cause, the claim ought to be rejected. The courts in such cases trust to the intelligence and vigilance of the taxing officers to detect and to frustrate attempts that may be made to swell costs unnecessarily, under the pretext that the parties were material and necessary witnesses." The other quotation is from a judgment of the Court of Appeal in a recent case of *Warner* v. *Mosses*, reported 19 Ch. D. 72. The question there was whether copies of the pleadings which had been made for the court and used on an interlocutory appeal should be allowed on taxation of the costs of the appeal. The late Master of the Rolls, in his judgment, made the following remarks: "Now, in this case it is clear that the copies were necessary. The case could not have been argued by counsel without a copy of the pleadings, nor could it have been decided by the judges without their having copies. It being therefore absolutely necessary for the attainment of justice that the copies should be supplied, why should they not be allowed on taxation? The only suggestion made is that it would be inconvenient for the taxing masters to have to consider in such cases whether the copies were wanted or not. I do not agree as to the inconvenience. Neither a taxing master nor a judge can complain that he has to decide on what is necessary or proper for the attainment of justice. So far from the taxing masters having a right to complain of being called upon to decide such a question, the 26th rule imposes on them in every case the obligation of doing so and I should be sorry were it otherwise. I am quite sure that those gentlemen would never think of complaining of being trusted with that discretion, or of having the trouble of exercising it." And the present Master of the Rolls, in following him, said: "The masters exist for the purpose of being troubled with the duties of their office, just as judges exist for the like purpose. They must take the trouble." In conclusion I would urge that the council be requested to bring this subject under the notice of the Lord Chancellor, with an urgent request that the subject may be considered by a tribunal similar to that which settled the conveyancing scales.

Mr. J. A. ROSE (London) expressed his strongest objection to the suitor against whom a decision had been given having the heavy costs of patent agents, highly feed counsel, and so on, heaped upon him. On the contrary, he would let him off as easily as possible.

WEDNESDAY'S MEETING.

The proceedings were resumed on Wednesday morning, the PRESIDENT again taking the chair:—

LAND TRANSFER.

Mr. ALBERT SAUNDERS (London) was to have read a paper upon "Land Transfer," but, as he did not arrive until late in the day, the paper wastaken as read. In the paper Mr. Saunders proposed the establishment of a registry for the registration of all assurances that shall be made of or affect any land of any tenure

except copyhold (I would except copyhold, as each steward of a manor keeps a register of the deeds affecting the land within the manor), but such lands would, of course, come on the register as and when they were enfranchised; and this registration should be compulsory as to all deeds made or executed after the passing or commencement of the Act, but should be optional as to deeds made or executed before the passing or commencement of the Act. The mode of registration should be as follows:—The following particulars should be entered on parchment, to be of a particular size, and ruled in a prescribed manner, and which should be called the index of title. The heading should comprise:—(1) A short description of the lands conveyed; and such description should refer to such lands for the better identification thereof either to a plan drawn thereon, or annexed thereto, or deposited in the registry, and in the body should be entered,

(2) The date of the conveyance,

(3) The full christian and surnames of the parties thereto, and their addresses and description, business, or occupation,

(4) The nature or description of such conveyance, and the lands conveyed, or a short description thereof, and the effect of the conveyance,

(5) The name or names of the grantee or grantees, his or their addresses and descriptions,

And in case of a will or letter of administration,

(6) The date of probate or letters of administration,

(7) The name of the testator or intestate, his address and description, or occupation,

(8) The description of the document, whether will or codicil, or letters of administration,

(9) The name, address, and description of the devisee, legatee, or administrator.

The index of title and conveyance to be registered should forthwith be produced to the registrar, who should, if the particulars of such conveyance have been correctly entered upon the index of title, cause the same particulars to be entered in a book to be kept for that purpose, to be called the official register, and the registrar should assign a reference thereto; such reference should include (1) the name of the owner, (2) the name of the county in which the property is situate, (3) the year of the registration, (4) the folio of the official register, thus: Smith, Geo., Middlesex, 1886, fol. 100; and such reference should be stamped upon the index of title, and the seal of the registry office should be affixed or impressed opposite the entry of the particulars of each conveyance entered; every subsequent conveyance relating to the same land should be registered, by entering such short particulars as aforesaid on the same index of title immediately following the last entry, and subsequently produced to the registrar for registration, who should cause the corresponding particulars to be entered on the official register under the same folio and reference, immediately following the last entry; and when so entered, the entry on the index of title should be stamped with the seal of the office, and the date when the same was registered indorsed on the conveyance. No conveyance dated after the time appointed for the commencement of the Act should be registered, unless the same had been duly stamped. An owner of land desirous of registering the conveyances relating thereto dated before the time appointed for the commencement of the Act, should be at liberty to do so, but such deeds and the evidence of the devolution of the title should be entered on the index of title in chronological order, and in the manner prescribed, and the index of title should be produced to the registrar with the deeds, who, if the particulars of such conveyances, &c., have been correctly entered on the index of title, should cause the same particulars to be entered on the official register and assign a reference thereto, which reference should be stamped on the index of title, and the seal of the registry office affixed or impressed opposite the entry of the particulars of each conveyance, &c., and the date of registration indorsed on each conveyance; and every subsequent conveyance relating to the same land, executed after the commencement of the Act, should be registered in the manner prescribed on the same index of title and official register, and immediately following the last entry. If the conveyance to be registered relates to several lands comprised in several previous conveyances, registered in the prescribed manner and under several references, such conveyance should be registered by entering the particulars thereof in the prescribed manner on the several indexes of title and on the several official registers. The index of title should always accompany the deeds, and the person for the time being entitled to the deeds should be entitled to the index of title, and, therefore, any deposit of deeds by way of equitable security should include the index of title, and any deposit not so accompanied should be adjudged fraudulent against any subsequent conveyances of the same lands for valuable consideration registered in the prescribed manner; and on the sale of any land, if the title prescribed by law or stipulated by contract commences with a conveyance registered in the prescribed manner, the purchaser should not at the expense of the vendor be entitled to an abstract of title, but he should in lieu thereof be furnished at the expense of the vendor with a copy of the index of title, and the purchaser should be entitled to compare the same with the official register, and to the production and examination of the conveyances therein referred to; and the purchaser should be entitled, at the expense of the vendor, to an abstract or copy of such conveyances only as contain limitations and remainders over trusts or powers special or respective. Mr. Saunders elaborately developed the details of this scheme with regard to leaseholds, partition, and other matters, and said that, if the scheme foreshadowed by this paper were adopted, all the transactions relating to any particular land could be ascertained without any difficulty by a perusal of the official register under the particular reference assigned to the particular land. After discussing the arguments against registration of assurances, he said: We will now pause for one minute and consider what would be the effect of a register thus preserving and keeping up the evidence of title. The vendor would, in lieu of an expensive abstract, deliver to the purchaser a copy of the index of title, which would disclose all the assurances and dealings with the land, and the purchaser could only demand a copy or abstract of such deeds as did not speak for themselves; and as the register became established so would the title of the person claiming under the deeds become indefeasible, and the necessity for making searches or inquiries as to deeds and obtaining certificates and declarations to verify the title to the lands would cease, and each step or devolution in the title having been proved at the time, the title would of necessity be easier of proof, and land would become more marketable and less costly to transfer. And with regard to the practicability of such a register it was contemplated by the Land Transfer Act to investigate all the titles in the kingdom. If that were practicable it must be practicable to register all deeds relating to the titles without investigation of the title, and this would be a much easier task if local registries were established.

Mr. B. G. Lake (London) referred to the report of the council with reference to the Land Transfer Bill which had been submitted to the Lord Chancellor, and said that, if in his observations he deviated from the report, what he said must be taken as a personal statement and not as representing the opinions of the council. He would call attention to two or three points to which he thought attention might profitably be directed. They had a large attendance of members from the country, and the council desired to receive suggestions and advice with regard to the lines they should take to endeavour to frame the Bill so that it should be a workable measure. He would point out what appeared to him to be the leading features of the Bill. It was based upon the Act of 1875, which was a voluntary Act, but the present Bill was to be compulsory; and it appeared to him that that was the most dangerous point about it. He would not for a moment suggest that compulsion might not possibly be ultimately desirable; still less was he suggesting that compulsion was not for the interest of solicitors, for, from a purely selfish point of view, it might be entitled an Act for making the fortunes of the present race of solicitors at the expense of those which were to follow. But he deprecated compulsion very strongly, because it ought not to be introduced until the scheme had been worked out and shewn to be practicable. If, as the Bill proposed, registration was to be compulsory, not only on owners who desired to deal with their property, but also on owners who did not, if that was to be the law of the land, it was most essential that there should be, at all events, a number of years allowed to them to see that the scheme which was to be made compulsory was workable and well understood. He could scarcely conceive a greater catastrophe than that solicitors should have a sudden rush to throw the net of compulsory registration over all England at the same moment. He thought that if a strong opinion were expressed that compulsion was an evil until the system had been proved workable it would have its effect upon the Lord Chancellor and the House of Commons. The second point of importance was the establishment of an insurance fund. The scheme was that it should be established by those who were compelled to come in to register. That appeared a very great injustice. If they made the system of registration optional, it was perfectly fair, if an insurance fund was wanted, to say that those coming in should find the fund, but if they made it compulsory, in the public interest the expense ought to fall, not on the individual landowners, but on the public. Moreover, it resulted in this, that those who registered and had good titles would have to establish a fund for the benefit of those whose titles were not so sound. The next point of very great importance was the constitution of the Land Transfer Board, which would, subject to certain rights of appeal, have the whole control of the conveyancing business of the country. The Bill provided for no single qualification whatever for any member of the board, and it was conceivable that they might get three gentlemen appointed not one of whom had ever seen a conveyance. That was a possible state of things, and ought not to be possible. Under the Act of 1875 it was not possible. On that point the council had laid great stress in their observations to the Lord Chancellor, and it was essential that the board should be confined entirely to those who had a practical knowledge of conveyancing and land business, and should be presided over by a president of equal rank with a judge of one of her Majesty's courts. It ought to be someone whose authority on matters of law would at once be conceded, otherwise there would be a multiplicity of appeals. This had been carried out in the case of the Probate Act with the best results. There was an entirely new system introduced into the Bill called Confirmation of Title. That was that a land proprietor who had put himself on the register with a possessory title might, by a series of advertisements over five years, become entitled, at the end of that five years, to have the entry of his title confirmed as an absolute title. He was entirely at a loss to understand what possible object such a scheme as that could have. He could see that a great many openings might be made for fraud and error. Then there was the question of the power of making rules. By the Act of 1875 that power was vested in the Lord Chancellor with the advice and concurrence of the registrar. By the Bill the rules were to be made by the Lord Chancellor alone, subject only to this, that the rules are to be laid on the table of each of the Houses of Parliament, if sitting, and, if not, then a certain number of days after it next sits, and that either House could annul the whole of the rules. There was no power to reject some and modify others, but the rules must be rejected as a whole. That seemed extremely dangerous, and the council had pressed upon the Lord Chancellor that, although it might be very right that the ultimate issue of the rules should be vested in his lordship, the rules should be prepared after being submitted to some practical body, which should be representative of practising solicitors and practising barristers—in other words, those with whom the responsibility and the work of carrying out the Act would rest.

Otherwise they might have rules thrust upon them by an official who had never perused an abstract in his life, and the responsibility would be thrown on the unfortunate solicitors who were trying to carry out a machine which from the first was constructed not to work. The most interesting question to solicitors, in one way, was their position under the Bill. Under the Act of 1875 the position of solicitors was very distinctly preserved, and under the rules it was preserved in the same way. He did not think for one moment that the Lord Chancellor had any intention of acting unfairly to the body of solicitors and of altering the position they now occupied. Of course, his lordship was aware that, as a consequence of the exclusive privilege of conveyancing which was intrusted to solicitors, they were under extremely stringent regulations both as regarded education, conduct, and professional status, and in many other ways, so that the public had the advantage of having a body of men specially trained for the work, and who were under special responsibilities, and every possible inducement, apart from professional honour, to carry out to the best of their ability whatever work they were intrusted with. That had worked, as a whole, to the satisfaction of the public and of clients. They must press very earnestly that solicitors must not be interfered with by this new system. He thought the Lord Chancellor was satisfied that solicitors, as a body, were not opposed to a system of registration *per se*. He did not think the present system was sufficiently thought out, but it was possible that there might be a system which, without being compulsory, might offer such advantages that it might be accepted. But what they had to do was to make any Act which was put upon them as beneficial for the public as they possibly could. Therefore, they must criticize the Act before it had become law so as to point out on what principles they could work it. In the event of its not passing into law this year, which it probably would not, he thought they should have the opportunity of an inquiry, so that next year the Lord Chancellor might see that it had received the general assent of both branches of the profession. The council had made sixteen recommendations, which he would move, as follows:—

1. That compulsory registration is unjust to landowners, and, if the system were made workable and inexpensive, would be unnecessary.
2. That, whether compulsory or not, a system of guaranteed title is preferable to that of an indefeasible title as contemplated by the Bill.
3. That the Land Transfer Board should be selected from barristers and solicitors, and be presided over by a judge of the Supreme Court, or someone of equal position and authority.
4. That the outlines of the arrangement for branch offices and land transfer districts should be defined in the Bill.
5. That an interval of not less than six months should be allowed between the issue of the rules and the creation of any land transfer district involving compulsory registration.
6. That the duty of registration should be thrown on the grantee, and not, as at present proposed, on the grantor.
7. That provision should be made to relieve a purchaser or other grantee from being affected with notice of the trusts of any settlement of the existence of which he will, by the fact of the proprietor appearing as tenant for life, necessarily become aware.
8. That the proposed confirmation of a possessory or qualified title after five years' advertisement would be open to grave danger and be of little practical use.
9. That the provisions for determining boundaries would give rise to much discussion, if not litigation, between neighbours, and would be seldom taken advantage of.
10. That inasmuch as landowners are compelled to register, and therefore to incur a risk which, as the Bill assumes, they would not incur voluntarily, the cost of insurance against that risk should not be thrown on them, but on the country.
11. That the enforced contribution to an insurance fund will largely add to the cost of registration, and would, if registration were optional, be unnecessary.
12. That if an insurance fund be established, the remedy of an aggrieved proprietor should be against the fund directly without the necessity of preliminary proceedings against the person (if any) liable for the wrong, the Land Transfer Board having the right, if deemed worth having, to take proceedings on their own account.
13. That the right of an aggrieved proprietor should be to full compensation, and not merely to the cost of the land irrespective of buildings or other improvements.
14. That the power to make rules should not be vested in the Lord Chancellor alone, but that rules should be framed by the Land Transfer Board and be issued by the Lord Chancellor on their advice.
15. That the devolution, on death, of real and personal estates should either be left as at present or be assimilated for all purposes.
16 That without limiting the right of any proprietor to transact in person his own business, the conduct, for fee or reward, of legal business connected with land should, as heretofore, be intrusted to solicitors.

If these were adopted by the meeting they would have much greater weight.

The Vice-President seconded the motion.

Mr. Bernard Wake (Sheffield) had come to the conclusion that the drift was in the direction of making the transfer of land and of Consols alike, so that at a very early date it must be assimilated. The shortest way to end this drift was, in his opinion, to make land personal property for the purpose of legal devolution. But the first question was to make land marketable as easily as possible, and he would free land from all obligations to see to trusts. In exchange for this great weight taken off land he would place upon it the small weight of registration of all deeds. There would, no doubt, be a little cost, but not at all equivalent to the cost now incurred in looking into trusts. If a system of registration were adopted, and every county had its registry office, every man recording his own title in his own language and his own plan, at the end of ten years there would practically be the groundwork on which, if they liked, they could build registration of title. But what would be the effect of making all land pass to an executor for the payment of debts and legacies? All your difficulties and your records of pedigrees upon long deeds would be done away with, and there would be a register with maps in the course of about ten years.

Mr. Blyth (London) suggested that a special meeting should be called for the consideration of the subject. He agreed very cordially with the council that an indefeasible title should not be attempted such as was required under Lord Westbury's Act, which led to much trouble, delay, and expense, and the Act was practically dead.

Mr. J. J. Coulton (Lynn) suggested that printed information should be sent round to the profession so that their opinion might be obtained.

The President said this had already been done, and answers had been received from the country law societies.

Mr. Shackles (Hull) said it seemed to him the meeting was drifting into details and losing sight of principles. One principle was to settle whether they were to have a registration of titles or a registration of deeds, and another to approach the legislators upon that question. The registration of titles was out of the question, and the public would revolt against it. The extension of the Yorkshire Registries to every county would give them practically what they wanted.

Mr. W. M. Walters (London) said the Bill would be in committee next week, and they had to consider a Bill which had gone through its second reading in the House of Lords. They had to accept it and to do their best to mould it into shape. Registration of deeds would not meet with support in either House of Parliament. Their Yorkshire friends were enamoured of their registries, but at the provincial meeting at Yorkshire a resolution had been carried condemning them, and the president of the Yorkshire Law Society, Mr. Walker, had voted in the majority. They had to deal with a system of registration of title, and it was for them to make it as innocuous as possible. Mr. Blyth had told them that they ought not merely to object to an indefeasible title scheme, but also to a guaranteed title. They were bound to put forward a system of guaranteed title themselves, and they said that, if, instead of aiming at an absolute and indefeasible title, the principle of a guaranteed title were accomplished, many difficulties would disappear.

Mr. Ellett (Cirencester) said that several speakers had referred to the discussion as if it were a question of the adoption of a report just before circulated. He was speaking for a class who had come some hundreds of miles to attend the meeting, and he hoped they would at least be practical, and that they would, if unable to deal with the questions of detail, deal with the few leading and important points and principles upon which all of them must already have made up their minds, or ought to have done so before this. The country law societies had had a series of questions, raising practically the same points as those Mr. Lake had touched upon, put before them by the council, and he believed every law society had considered these questions and sent in replies. The gentlemen present were representatives of the country law societies, and had taken part in the discussion of these questions locally, and were, he was sure, prepared to express an opinion. It would very much facilitate the discussion if it were limited for the moment to each point in the order in which it was stated, and the vote taken upon it. The first was the question whether or not registration should be compulsory. Surely it was a principle upon which every practitioner in the room must by this time have made up his mind. He had long ago determined to say no, because he believed that if any system of registration was worth having it would be found to recommend itself by its merits. There had been attending the meeting as a visitor, introduced by the president of the Bristol Law Society a gentleman who had practised in the colony of Victoria, and he had told him that the system of registration in that colony was a voluntary system, and that, as a matter of fact, it was very much prized; and he had told him also that he and his brethren in Melbourne found it perfectly possible even under the system of registration to make such a bill of costs in relation to the transfer of land as was remunerative. He (Mr. Ellett) was entirely in favour of the first resolution.

Mr. Lake proposed that each paragraph should be taken *seriatim*, and the general resolution of approval put at the end.

This was agreed to, and No. 1 was put to the meeting and adopted.

Recommendation No. 2 as follows was then carried:—"That, whether compulsory or not, a system of guaranteed title is preferable to that of an indefeasible title as contemplated by the Bill."

Mr. Adams Williams (Newport) hoped it would not be carried out, as it would entail great expense upon small land owners.

Mr. T. H. Devonshire (London) asked the meeting to say that they approved of what the council had done, and that they should continue in the same direction. He would move, "That this meeting approves generally of the conclusions at which the council have arrived with regard to the Land Transfer Bill, and requests them to continue their efforts in the direction indicated."

Mr. Lake said he was very pleased to accept the motion.

Mr. Hunter (London) said that, under the indefeasible title, it was proposed to give to the person on the register an absolute title to the property and leave everybody who had been ousted by any fraud or error to be compensated. The result would be that the officials would probably feel themselves bound to make a very strict investigation before they could grant such an indefeasible title, and the effect of it would be to take away from innocent persons something that they had previously got, and to force upon them a money compensation in lieu of rights which they had been deprived of. The official guarantee, on the other hand, was that if a person got upon the register as the official owner of anything that belonged to someone else, the

rightful owner should have the property restored to him, and the man on the register should have pecuniary compensation. The result was that the man coming on the register made no investigation, and, if there was any blunder, nine times out of ten it would be owing to his want of care or want of information, and he would be the person to suffer. It would certainly make a very material difference in the amount of care which would have to be exercised in placing on the register.

Mr. LEWIS (Walsall) said the Bill would altogether revolutionise the mortgage system, because, if anyone borrowed money, it would be made known in the registers of trade protection societies.

Mr. LAKE pointed out that a section of the Act of 1875 which had not been repealed guarded against this.

After some further discussion, the motion was carried unanimously.

THE SITTINGS OF THE LAW COURTS.

Mr. F. K. MUNTON (London) read an interesting and lively paper on this subject, in which, after describing the existing state of confusion and uncertainty with regard to *Nisi Prius* trials and cases before the divisional courts, he said that the uncertainty as to the time of trial on the common law side is completely put into the shade by the extraordinary state of things in the Chancery Division. Although the number of causes for hearing has largely increased, and the interlocutory work too, the old system survives of giving only intermediate days for trials, so that, however many witnesses one may drag up from the country, there are frequent breaks, during which these unhappy people have to return or waste their time in town. It is notorious that in some of the Chancery Courts no substantial progress in the trial of witness causes has been made for many months, owing to the choked condition of the court from other and more immediately pressing matter, such as motions, petitions, adjourned summonses, and the like. Almost every branch of interlocutory work, including chamber appeals (by no means an unimportant list) is now dealt with somewhat hurriedly from the limited time allotted, and everybody who is familiar with the Chancery Division on a day set apart for miscellaneous work will bear me out. As to chamber appeals, nobody will deny that the time has come for specific days being absolutely set apart to hear summonses and applications adjourned by the chief clerks; and in conclusion he made the following practical suggestions:—

1. *Chancery Division.*—That all witness and other causes should be entirely separated from interlocutory business, and be taken *de die in diem* by independent judges sitting for that purpose only.

2. That cases of an administrative character (if a judge so directs) should form the subject of an entirely separate list to be separately dealt with.

3. That all original motions and petitions, and every other application (in cases wherein there has been no previous intervention of a particular court), should be put into a separate list, and be dealt with by one judge, sitting for the time being for such purpose only, instead of several judges taking such work to the obstruction and disorganisation of other business.

4. That one or more judges should sit in chambers for one or more entire days every week to hear adjourned summonses.

5. *Common Law Division.*—That the cause lists should be more completely separated into—(*a*) special juries; (*b*) common juries; (*c*) causes without juries; (*d*) causes standing over *sine die*.

6. That special jury cases should be heard in the order in which they are marked as such, and not be placed between other special juries already so marked.

7. That, (say) on every Friday evening, the judge, who is progressing with a very long list, should announce that he will not go beyond such and such a case during the coming week (a good margin being allowed for contingencies), it being suggested that it would be better even for a judge to be left at leisure for twenty-four hours once in a way (in case of extraordinary and unprecedented collapse) than that hundreds of people should be constantly kept anxious, and expensive preparations be made, frequently to no purpose.

8. That, to avoid needless changes, no cause within the compass of the ensuing week's estimate should be 'postponed' without the judge's express consent.

9. That at least one day before the conclusion of every sitting there should be an announcement of the intended programme for the following sitting (emergencies excepted), it being submitted that the dates of the assizes and other known work ought to be fixed with a fairly long notice to the profession; and especially that it should be stated approximately how many courts are to be devoted to a particular list.

10. Lastly, I suggest that the sittings of the law courts form a subject that might alone well employ the time and consideration of a special committee of practical men, the bar to be largely represented thereon (their interests and wishes being of the gravest moment), one and all of us bearing in mind that the administration of the law is only next in importance to the law itself.

Mr. WAKE (Sheffield) moved: "That the continuous sitting in public of a court to deal exclusively with contentious, as contrasted with administrative work, is essentially necessary to the due conduct of the business of the country; and that the want of such a court entails the very serious evils of expense and delay, and the still greater evil of a denial of justice by the enforced reference or compromise of cases, many of which can only be dealt with by the examination and decision of the courts of justice."

This was agreed to.

Mr. BLYTH (London) moved, as a substantive resolution: "That this meeting recommends that the paper read by Mr. Munton on the sittings of the law courts, and the general question of legal delays which is involved in it, should be taken into consideration by the council with a view to action thereon."

Mr. DEVONSHIRE (London) seconded the resolution, which was carried.

THE CLAIMS OF THE PROFESSION.

Mr. W. C. AUTY (Sheffield) read a paper on this subject in which, after discussing the relations of solicitors to each other, their clients, and the public, he said: Apart from the usual liabilities of his profession, and the tax which burdens his right to practise, the solicitor has to withstand not only the competition within the profession, but also the attacks of those outside. It would be acceptable if assistance were tendered to some of us as to the attitude which should be taken towards chartered accountants, especially as encouragement is given to this new institution by some of our senior members. Drawing agreements, giving advice, requesting interviews with themselves and their "clients," and writing letters couched in legal phraseology, surely seem to infringe upon our just claims. He concluded by saying: Consistent with the duty of a solicitor to do his best for his client, there are many opportunities, as between the solicitors concerned, of minimizing the adverse feeling which constantly arises. It is to the honour of the profession that good faith, courtesy, and consideration in their mutual business relations are the rule. The exceptions show an attempt to carry matters with a high hand, and an inclination to look upon solicitors as being of dubious standing, and as hardly entitled to legitimate costs. It will not be disputed that it is equally unfair for a solicitor to depreciate professional brethren to his client, particularly as to the question of costs. The facts of the case are rarely explained by the client, and it is a matter of honour to withstand any attempt on the client's part to injure the character of the absent party. On the bright side of the account we find candid dealing between solicitors, resulting benefit to clients, and the many mutual obligations which build up the strong and useful fabric of the profession. The political relations, which are so frequent between solicitors, require forbearance, particularly where the parties are actively opposed. In politics, municipal and social matters of importance the profession is well represented, and is by no means behindhand as a powerful and beneficial influence. Energy, perseverance, and liberal views are characteristic of many lawyers, individual instances will suggest themselves, and it cannot be doubted that these qualities have afforded valuable assistance in the great task of the recent purification of the law. United we stand, divided we fall. A closer unity in the profession is to be desired. It is matter for regret that every solicitor is not a member of the society; the council would then be entitled to speak for the whole of the profession. The admission to our debates of solicitors not yet members, and articled clerks, is but a small instalment of what is due. Surely some means can be devised by which all those who have qualified by examination can be inrolled as members of a society of which the profession has every reason to be proud. Could not articled clerks who have passed the intermediate become associate members? The interests of solicitors demand watchful care, quite beyond the scope of individual effort; the attitude and claims of the profession have considerably changed of late under the pressure of the general spread of education, as well as the marked tendency of legal reform to cast away the husks and get at the justice of the matter. It is now more than ever necessary that provincial solicitors should feel that in London there is a society safeguarding their interests, the exponent of wide views, and a counteracting influence to the effect of local prejudice. May we not with hope look to an extended and honourable future for the profession? The claims for fulfilment of that hope will be higher than in the past in consequence of the present clearer view of right. The influence wielded by solicitors is a powerful influence, and the way in which it is and will be exercised is of the utmost consequence, not only to clients, but to the general public.

Mr. JOHN JAMES COULTON (Lynn) read a paper on

THE LAW OF RATING,

in which, after referring to the cases of *R.* v. *Chaplin* (1 B. & Ad. 920), and *Hayward* v. *Overseers of Brinkworth* (10 L. T. Rep. N. S. 608), he said: The principle established by these cases is intelligible and reasonable. Real estate, like everything else, is worth what it will fetch, and the best guide to the rent at which a holding may reasonably be expected to let is that at which it does actually let, unless there is evidence that the rent is not the value, or ground for inferring it—such as relationship between landlord and tenant, stipulations that tenant shall deal with landlord, or do landlord's repairs, and the like. In such cases the rent criterion fails, and the value (as in cases where there is no letting) must be estimated as best it can. But this principle, although dictated by common sense, and established by law, is systematically ignored by some assessment committees, who disregard the rent, and estimate the value on a principle of their own, usually a valuation of the parish or union by a paid valuer, often made years previously. No valuer, however competent, can know all the circumstances which affect the present letting value of a holding, still less can he predict its value a few years hence. From the decision of the committee there is practically no appeal. There is nominally an appeal to a special petty session, and from it to the quarter sessions, but the justices who compose these tribunals are often members of assessment committees, and usually uphold their decisions. The rent criterion has this defect, that when the assessment exceeds the rent the tenant complains, but when the rent exceeds the assessment the overseers and assessment committee have no sufficient means of ascertaining the fact, nor can they guard against the rent being raised after the assessment is reduced. Moreover, the Acts themselves have two defects: 1. Many holdings are not in practice, and cannot be advantageously, let from year to year. 2. The cost to the landlord of repairs, &c., does not affect the letting value, and therefore ought not to be deducted. He suggested that

the following alterations of the law would be found useful:—1. Contracts of letting, and assignments thereof, and alterations therein to be in writing, and produced within a prescribed time to the assessment committee for registration. In default to be void. 2. The appeal to be to the county court, and, in important cases, from it to the Queen's Bench Division; or, by consent, to Queen's Bench direct; Queen's Bench to be final. 3 The assessment to be the rent at which the holding might be expected to let for the term for which it actually is let, or the unexpired residue thereof, and, where there is no letting, for the term for which similar holdings usually are let. 4. The gross estimated rental to be the rateable value. 5. The poor rate assessment to serve for all other rates upon value, including the property tax, the surveyor having the same appeal as a person assessed.

Mr. PAYNE (Milverton) addressed the meeting, stating that he differed altogether from the conclusions arrived at in the paper.

THE NATIONALITY AND NATURALISATION QUESTIONS.

Mr. BERNARD LEWIS (Wrexham) read a paper on this subject, in which he advanced the following proposals:—

1. That nationality should be derived from descent.

2. That the period of residence prior to naturalisation should be increased and the fees raised; and Professor Leone Levi's recommendation on p. 141 of the Appendix to the Report of Naturalisation Commission should be adopted—viz., "ten years' residence in this country, satisfactory evidence as to character and respectability" being necessary.

3. That more publicity should be given to naturalisation in England; and the registration of naturalised voters should be placed on a more satisfactory basis by adoption of the American system, as previously stated.

4. That the naturalisation of persons attached to the diplomatic bodies might be vested in the Foreign Office. In London, in the Lord Mayor's Court, and in all other cases (as previously recommended at Liverpool) in the clerks of the peace of each county or borough, and the oath administered by the chairman or deputy-chairman in open court of quarter sessions, and annual returns made to the Home Office and published.

5. That in view of the great alterations impending in our land system, foreigners should not hold real property (saving rights of those who have taken advantage of second section of Naturalisation Act) without making a primary declaration to become naturalised, and then pay a portion of the fees, but hold leaseholds as formerly.

THE AMENDMENTS IN THE LAW OF HUSBAND AND WIFE NECESSITATED BY RECENT LEGISLATION.

Mr. J. S. RUBINSTEIN (London) read the following paper on this subject:—There is, perhaps, no question upon which public opinion has within our own time more rapidly advanced than the question as to the proper *status* of a married woman, particularly with regard to the holding of property, of which alone this paper treats. Before 1870 it was considered subversive of our common law, and opposed to all principles of expediency and reason, to allow that a married woman could have an individuality apart from her husband, and be allowed to hold any property, unless, indeed, fenced round with the cumbersome machinery of trustees and settlements. Husband and wife were one, but the husband was that one. Equity, it is true, had centuries back created the doctrine of separate property for the protection of married women; but common law wholly ignored the wife as an independent individual. The husband, in taking a wife, took also her property and her liabilities. He could be arrested for her ante-nuptial debts, although he did not acquire a penny of property by his marriage. The support of the wife and children fell upon him. The wife had implied authority to pledge his credit for necessaries for herself and household, on the principle that the relationship of husband and wife, at least when living together, carried with it the implied relationship of principal and agent. With what appears, however, to be an undue leaning towards the husband, the law, it is true, allowed him, and still allows him, to rebut this implied relationship by evidence that the implied authority to pledge his credit had been withdrawn, and that, it may be, without the knowledge of any third person. In 1870 the Legislature for the first time sanctioned the principle that married women might hold property in their own right, but this privilege was restricted to their own earnings and small legacies. Only twelve years later the Married Women's Property Act, 1882, completely revolutionised the *status* of married women, and recognized to the full their right to hold property, and to contract as independent individuals. The further change in the law, proposed by the present Government in the Land Transfer Bill now before Parliament, marks the crowning step in the progress of public opinion. The Bill deals out the same treatment to both husband and wife. On the death of the husband intestate, his widow is given a life interest in the whole of his real estate. This is also the extent of the interest given to the husband on the wife dying intestate. The changes so made go nearly to the whole extent of placing married women upon precisely the same footing as men. The principle is conceded. The removal of the few remaining inequalities is a mere question of time. The law has declared in favour of equality. With equality should come due responsibility. As yet, the responsibilities have not been apportioned. How to secure a fair apportionment of responsibility, by what amendments to place on a plain and practical footing the law of husband and wife, with regard to both the holding of property and the devolution of property, it is the aim of this paper to answer.

The Holding of Property.—The law that in former times gave the husband all the property of the wife, although, undoubtedly, operating most harshly against the woman, rested at least on an intelligible basis. The husband took the gains. He could not, therefore, reasonably complain of his sole liability to bear the burdens. Now, however, he has no more legal right to the wife's property than a stranger, and yet it is doubtful to what, if any, extent his sole liability is affected. Responsibility should go with the property. A husband is now fairly entitled to ask for such a revision of the law as will equitably divide obligations that it was reasonable enough he alone should bear when he alone possessed everything. When the claims of third persons are considered, the matter is far more serious. Creditors have been prejudiced by the new Acts, and that most seriously. Formerly, a creditor who had supplied necessaries to a man's household was fairly safe in suing the husband; and, in view of the wife's legal incapacity to contract, it was only in wholly exceptional cases that he was able to escape the liability. But now, by reason of the recent legislation, it is easier and commoner for a husband to allege, as a defence, that credit was given to the wife, and not to him. If, on the other hand, the creditor sues the wife, the answer may be that she contracted as agent for the husband, or that she has no separate property. Doubtless, in the professional experience of most of us, we have at times been asked to advise as to whether a husband or wife, or both, should be sued for a particular debt. No question should be more simple to answer; but, in fact, no question is now more difficult. Take the case of a builder, who, on the orders of the wife, repairs a house in which the husband, wife, and family reside, but from which the husband was absent at the time. The husband, when applied to, can allege that the contract was made with the wife, and that he, therefore, is not liable; and the wife, on her part, can assert that she simply contracted as agent for her husband, and that he, and not she, must therefore pay. The unfortunate builder could, it is true, sue both husband and wife, but only at the risk of having his action dismissed against one of the parties, and having to pay costs perhaps little less than the debt itself. Cases of hardship are constantly occurring. A husband may keep up an expensive establishment. When, however, a creditor seeks to enforce a judgment, the wife comes forward and claims everything. Such cases were formerly, it is true, not unknown, but they are now greatly on the increase. In former times it was necessary for third parties—trustees—to put the claim forward, and in practice to produce some deed or document upon which it was founded, and they made the claim at the risk of having to pay costs personally. Thus, there were certain guarantees for the *bona fides* of the claim. Now, however, the wife simply puts forward the claim in her own name, and, as there is no necessity for any document of title to be produced, it is in such cases, in the absence of any special facts not likely to be known to an ordinary creditor, most difficult, if not impossible, to contest the claim so made. In justice, therefore, to creditors as well as to the husband, the law should be so amended as to remove the difficulties and anomalies that now exist. The remedy appears to be a very simple one. Both the husband and wife are jointly interested in starting and keeping up a proper establishment, and justice requires that they should be jointly responsible for the liabilities incurred in consequence. For the purpose of maintaining the joint establishment they are, in fact, partners. As partners they should be treated in so far as liabilities for necessaries incurred for themselves or their household are concerned. Thus a creditor for necessaries would no longer be left to the present risks and dangers of deciding conflicting claims, or be without a remedy in cases where all the property belongs to the one at present not legally liable to pay the debt. One material distinction between an ordinary partnership and the relationship of husband and wife is that the former is capable of being determined at any time, and the liability of one partner for another can thus be brought to an end. It may be desirable to introduce some means of limiting the liability of husband or wife by registration or otherwise. These cases might be met by a public notification in the official gazette. A person who gives credit without making proper inquiries has only himself to blame if he loses his money. Most creditors do, in fact, before giving credit, learn what they can from trade gazettes, based on the records of the Bills of Sale Office and the Bankruptcy Court, and, at times, local inquiries. Another anomaly in the existing law is that, although a married woman has now the same right to hold property as a *feme sole*, the creditor's remedies against the wife are subject to exceptional limitations, and especially judgment cannot be obtained against her personally, but only against her separate property. All exceptional limitations should be swept away. This is the only logical course. The dangers these limitations were, it is assumed, intended to guard against are far more imaginary than real.

As to the Devolution of Property.—Now if once it is conceded that equality should govern the ownership of property in the case of husband and wife, little, if anything, need be said in favour of the same principle applying on the devolution of property. At present a material distinction is made between real and personal property. In the case of realty a husband takes a life estate in his wife's freehold once a child had been born capable of inheriting. A wife, on the other hand, is only entitled to her dower, or one-third of the income, for her life. In view of declarations in bar of dower, contained in so many conveyances, the wife's claim is frequently wholly illusory. The Land Transfer Bill now before Parliament adopts the rational principle of placing the husband and wife on the same footing, and giving to each a life estate in the other's freeholds. With regard to personal property, however, the husband takes the whole of the wife's property on her intestacy. But the wife on her side is only entitled to one-third of the husband's property, if there are children, and one-half if there is no child. In the former case the children take the remaining two-thirds; in the latter the remaining half goes to the husband's next of kin, or, in default, to the Crown. If the matter were regulated upon the lines of strict equality, the wife would be entitled, children or no children, to the whole of the husband's personal property. It is doubtful, however, if such a change is desirable. In any case, it may be assumed, public opinion is not yet sufficiently advanced to sanction it. Indeed, strong arguments may be urged in

favour of the converse remedy of cutting down the husband's right to the whole where there are children. In such cases the law might, perhaps, with advantage, be made uniform, and like the laws of most civilized countries, by giving in each case a proper proportion to the children. In cases, however, where there are no children, why should not the same law apply to the wife as to the husband? The next of kin may be very deserving objects, but, on the other hand, they may not be. If the husband omits to make provision for them, why should the law do this for him? The hardship upon the widow appears, perhaps, greater where there are no next of kin. In that case the Crown claims the half. The present rights of the next of kin and the Crown might well be taken away in favour of the widow, so as to place her, in this case at least, upon the same footing as the husband. Although the Land Transfer Bill goes a long way towards assimilating the law of real and personal property in the case of intestacy, and treats the wife with equal fairness, it is, perhaps, to be regretted that the same rules of distribution should not apply to freeholds as to personalty. This last point will not unlikely be dealt with in the usual way by some amending Act. With the view of eliciting the opinions of this meeting upon the matters referred to, I venture to conclude by moving that the council be recommended to support the amendments in the law of husband and wife suggested in this paper, and embodied in the following resolutions:—

1. That husband and wife should, subject to proper safeguards, be made jointly and severally liable, as partners, for necessaries supplied to themselves and household while living together.

2. That all existing limitations on creditors' remedies against the wife should be swept away.

3. That on the husband dying intestate, without children, the wife should be entitled to the whole of his personal property.

4. That husband and wife should be placed on the same footing, with regard to the devolution of real property on intestacy, as proposed by the Land Transfer Bill now before Parliament.

If the law of husband and wife be amended as suggested, I venture to think that a branch of law that has perhaps given rise to more hardship and litigation than any other will at length have been placed upon a sound, a satisfactory, and a rational basis.

He concluded by moving the resolutions contained therein.

Mr. DODD (London) expressed an opinion that the paper was one of the most important that had been read to the meeting, but he was not prepared to adopt all its suggested amendments.

Mr. WHITE (London) said that to adopt the suggestions would be to alter not only the law of husband and wife, but that of agency generally.

Mr. T. K. CROSSFIELD (London) remarked that if the husband could pledge his wife's credit her separate estate was gone.

Mr. W. J. M'LELLAN (Rochester) thought the wife should be able to claim in her husband's bankruptcy for money lent to him by her.

Mr. J. A. ROSE (London) and Mr. COULTON (Lynn) also took part in the discussion.

Mr. J. ADDISON (London) moved, as an amendment to Mr. Rubinstein's motion: "That this meeting recognises the importance of the topics dealt with in his paper and recommends the council to have regard to the matter when opportunity occurs in the progress of future legislation.

Mr. HOWLETT (Brighton) seconded the amendment.

Mr. Rubinstein accepted the amendment, which was carried.

VOTES OF THANKS.

Mr. KENION (president of the Liverpool Law Society) moved a vote of thanks to the president, vice-president, and council, and to Mr. C. O. Humphreys, vice-chairman of the executive committee, and to the executive committee for the excellent arrangements made for the convenience and comfort of the provincial members, speaking in glowing terms of the reception with which they had met.

Mr. C. E. MATTHEWS (Birmingham) spoke in support, and the motion was carried with acclamation.

The PRESIDENT, who was received with loud cheers, briefly returned thanks, observing that the success of the entertainment was due to the executive committee and to the secretary (Mr. Williamson) and his staff. Without the almost superhuman exertions of Mr. Williamson the meeting could not have been carried out as had been the case.

The VICE-PRESIDENT and Mr. C. O. HUMPHREYS having responded,

The SECRETARY, who was loudly applauded, said that he and his colleagues, the assistant secretary, and the staff, had been actuated but by one desire—namely, that the members should have a happy time during their visit. He had been sometimes asked by the curious, "What are the duties of the secretary of the Law Society?" The experience of the last few weeks enabled him to answer the question. In the first place, he was proud to say he was a solicitor. In the second, he frequently acted as a Parliamentary agent. He was clerk to a board which met once a week, and generally once a day. He was a species of public prosecutor, a carpenter, a gasfitter, a florist, and universal provider. He thought, in all probability, if times were bad, he might eventually become a dancing master. There was one other qualification. He would like to be a setter of good examples, and not to occupy their time one minute more than was necessary. He would therefore conclude by thanking them, and saying what extreme gratification it gave him to see so many pleasant faces, and to hear so many pleasant things which had been said with reference to himself.

Mr. DAY moved a vote of thanks to the readers of papers, which was carried unanimously.

LAW ASSOCIATION.

At a meeting of the directors, held at the Hall of Clifford's-inn, Fleet-street, on Thursday the 2nd inst., the following being present—viz., Mr. Boodle (chairman), and Messrs. Bolton, Collisson, Cronin, Desborough, jun., Hine-Haycock, Lucas, Nisbet, Sawtell, Sidney Smith, Walmisley, and Arthur Carpenter (secretary), grants amounting to £1,315 were made to the widows and families of thirty-one members and £165 to the widows and daughters of eleven non-members. One new member was elected, and the ordinary general business was transacted.

THE INCORPORATED LAW SOCIETY ON THE LAND TRANSFER BILL, 1887.

THE following is the report of the committee on the Bill as reprinted:—In consequence of the numerous suggestions made to the Lord Chancellor from various quarters, the Bill has been considerably revised, and is to be considered in committee of the House of Lords when that House re-assembles after the Whitsuntide vacation. In view of this consideration, the committee submit to the council a further report upon the provisions of the Bill, and for convenience of reference, as well as for general information, should this report be generally circulated, they have practically embodied most of their former observations. The general scheme of the Bill remains unaltered; registration under it is still made compulsory, and the principle of an indefeasible, as opposed to a guaranteed, title is adhered to. But, as will be seen on going through the Bill, many of the suggestions which the council made have been adopted either entirely or to a considerable extent. The Bill, however, is only supplemental to the Land Transfer Act, 1875, and it is absolutely necessary that, before the system can be properly worked, there should be a consolidation of the two statutes, so as to remove the unavoidable confusion inherent in an attempt to graft a system of compulsory registration upon one which was merely optional. The committee adhere to the view expressed in their previous report that compulsion is unjust and should be unnecessary, and they retain the belief that, if a system of registration cannot be worked except by pressure of compulsion, it will be because it has not been made suitable to the requirements of the country, and will hamper, instead of facilitate, the dealings with real estate. They refer, on this point, to the arguments advanced in their report, and to the following more detailed observations:—The main object proposed to be attained by registration of title is to make dealings with land, especially sales and mortgages, cheap and easy. The committee believe that, under the existing and recently much-improved system of conveyancing, sales and mortgages are now effected with cheapness and ease. But, assuming this to be a disputable proposition, they make the following remarks on the Bill as reprinted:—The economy is to be effected by putting an end to periodical investigations of title. On the other hand, new expense will be rendered necessary—viz., fees or percentage for the maintenance of the registry, and percentage for the insurance fund. The facility is to be obtained by the transfer of a great part of the business from private practitioners to the Land Transfer Office. Experience alone can show whether the Land Transfer Office will fulfil the promise of cheapness and ease which leads to its establishment; whether the saving of part of the cost now incurred will, or will not, be outweighed by the new expense imposed by the proposed scheme; whether facility will or will not be afforded by the transfer of business from private hands to a public office; in short, whether it will be cheaper and easier to deal with land under the system intended to be established by the Bill than under the present system. Dealers in land ought, in the judgment of the committee, to be left free to avail themselves of the teachings of experience, and to be at liberty to register their land or to leave it unregistered as they may find most conducive to free and unrestricted dealing. There are a multitude of small transactions which take place very frequently in England, in which the business of conveying land is now transacted without investigation of title at very small cost and with great despatch. In such cases the scheme of registration proposed would probably increase cost and cause delay.

[On this point the committee quote the evidence which Lord Cairns, while Lord Chancellor, gave on April 28, 1879, before the Select Committee of the House of Commons on land transfer.]

The scheme of compulsory registration of title affects not only the dealers in land. It applies also to the landowner who wishes neither to sell nor to mortgage, but desires to maintain his estate during his life, and to hand it down at his death to his successor unimpaired. If the proposed scheme were to become law, such a landowner must cause himself to be registered as proprietor of his land. He would be advised, we may assume, to choose the least expensive mode of complying with the requirements of the law, and to register himself with a possessory title.

According to the system now in force under the Land Transfer Act, 1875, the course would be as follows:—

The landowner would have to produce to the registry and leave there the last settlement or other deed under which he held his estate, and also each document under which he had acquired land by purchase or exchange; and a description of his estate by map and schedule, with evidence by statutory declaration or otherwise to show that he was in possession of the estate as owner under the documents produced. If the landowner did not possess a map of his estate, showing with accuracy its boundaries, divisions, and other particulars, and a schedule corresponding to it, it would be necessary to take the ordnance map, if it had been completed for the district in question, and if not, the tithe map, or such other public map as might be in existence, and to compare it with the rental or schedule of the estate, so as to mark upon it the farms and lands belonging to the landowner, to make such corrections as the changes in the face of the land since the preparation of the map might render necessary, and to correct the boundaries where the estate adjoined the land of other proprietors. This last point would require special care,

because it happens seldom, if ever, that the existing public maps have been prepared with a view to defining boundaries between adjoining owners, or that the persons preparing them have had the means of ascertaining such boundaries. The business of preparing an accurate map and schedule would be similar to the business of preparing a particular and map of an estate which is to be offered for sale by auction, and would be not less expensive. The map and schedule having been either ready in the hands of the landowner, or prepared for the purpose of registration, a fair copy would be made and carried into the registry. The map and schedule would there be examined by the proper officer in connection with the documents of title and the declaration of title, and if found correct they would be engrossed, so as to form part of the register, the map for the register being prepared by the Land Commissioners from the best public map at their command. The land would then be registered, and the Land Transfer Board would deliver to the registered proprietor of the land the proper certificate (clause 28). For this business the landowner would have to pay:—

The charges of his solicitor;
The charges of his land agent or surveyor; and
The fees of the Registry, which would probably be calculated on a percentage on the capital value of the estate.

The total amount would vary with the size of the estate and the circumstances of each case. It would probably be least in the case of an estate of agricultural land; but even in that case, with an estate of ordinary dimensions, it could not fail to be large. Landowners now find considerable difficulty in meeting their present obligations. An additional burden would be felt to be oppressive. The benefit promised by the scheme of registration of title is increased facility of selling or mortgaging, but this benefit is of little or no advantage to the landowner who wishes only to maintain and improve his estate. The committee are of opinion that if instead of aiming at an absolute or indefeasible title (which is unattainable since if by any accident or oversight two persons are, as has already happened, registered as proprietors with an absolute title to the same land, one or other must be ejected and his title be defeated), the principle of a guaranteed title, as in the case of the Australian statutes, were adopted, many of the difficulties which have rendered landowners reluctant to place their land on the register would disappear or be greatly diminished. For, if the principle were accepted, that registration of title should not prejudice or defeat prior existing estates or interests, but that the registered proprietor, if a purchaser for value without notice, should, if ejected or damnified, receive compensation from the insurance fund, the registrar could go much further in accepting less than an absolutely perfect title than he does (in practice) now, under the powers given him by section 17, sub-section 3, of the Act, and might act on the investigation and certificate of solicitors acquainted with the applicant's title, and need not insist on much (if any) publicity. He could, in fact, act as the solicitor for a purchaser acts at present, secure in the knowledge that his action could not prejudice any rightful owner, and that the chance of any interference by an undiscovered claimant would be exactly the same as at present; while, moreover, if any such interference were successful, the registered owner would be indemnified. If the process of registration were thus facilitated, and the needless challenging of objections and perhaps of litigation were removed, the committee consider that the cost of registration would be greatly reduced, and the subsequent dealings with registered land be much simplified. They believe that under such a system landowners would readily avail themselves of the many advantages incident to registration, and that, as in the case of the Australian Colonies, it would be found unnecessary to resort to compulsion.

The Bill as at present framed follows the plan of the Act, and is based upon the principle that title is to be or to become absolute and indefeasible; for although by clause 16 the High Court may, in case of forgery, fraud, or error, either direct payment of compensation or restoration of the land according as the court may think equitable under the circumstances, no principle is laid down to govern the exercise of this discretion, which apparently is not to extend to cases of first registration in which an absolute or qualified title has been registered. In the opinion of the committee the rightful owner should be reinstated, at least in cases of first registration, and not merely left to make out a case; while, of course, the proprietor, who has been wrongfully placed on the register, should, if innocent of the fraud or error, be indemnified out of the insurance fund to which he will have contributed. Whether the Lord Chancellor adopt the foregoing suggestions or not, the committee are satisfied that solicitors, as a body, will do what lies in their power to assist in carrying out any system which Parliament may determine to be most for the public benefit, and the suggestions in this and the former report have been framed in this spirit. Perhaps the committee may be permitted in this connection to quote the report of the Land Transfer Commission of 1870, which, speaking of solicitors, says:—"These gentlemen were not hostile to the plan of registration; on the contrary, they came into the office seriously intending to use its machinery for the benefit of their clients."

With these prefatory observations, the committee proceed to the details of the Bill.

Constitution of Land Transfer Office.—The machinery provided by the Act consisted of a land registry with the necessary staff. This is to be abolished, and in its stead the Bill proposes to create a land transfer board, with a principal office in London, and district offices, to each of which a land transfer district is to be from time to time attached by Order in Council. Notwithstanding the statement in the memorandum prefixed to the Bill that the board is to comprise "persons of experience in organisation and administration as well as in conveyancing," the land transfer board is really the office of land registry under another name, for the land transfer board is to consist of a registrar-general, a chief examiner of titles, and an assistant registrar. To this board, which is to be from time to time appointed by the Lord Chancellor, are to be attached such officers as the Lord Chancellor, with the concurrence of the Treasury, may from time to time assign. Great and well-founded dissatisfaction is felt with this arrangement, and with the absence of any prescribed qualification. The committee cannot too strongly urge that the board, which will be at the head of so new and comparatively untried system of conveyancing, should be composed of persons conversant with, and practically versed in, the law and practice of conveyancing, and should therefore, as was required by section 106 of the Act, which section the Bill proposes to repeal, be selected from practising barristers and solicitors, and should be presided over by a judge of the supreme court, or some one of equal position and authority. The committee are satisfied that not only should the board consist exclusively of trained lawyers, but that the position of a member of the board should be made sufficiently attractive to secure the services of the very best men in the profession. The working of the Act will depend very much upon the branch offices, but the Bill does not define what are to be the duties of the branch offices, nor what is to be the qualification of the district registrars, nor on what principle the district of each branch office is to be formed. Unless these matters are explained it is impossible to form a trustworthy judgment as to the probable success of the measure, and the committee suggest that the outlines of the arrangement proposed for branch offices and land transfer districts should be explained in the Bill, and settled by Parliament.

Compulsory Registration.—The right to apply for registration, which by the Act was strictly limited, is by the Bill (clause 4) extended to "any person appearing to the Land Transfer Board to be interested in the land, and to be capable of showing a title to or a right to convey the fee simple of or the first estate of freehold or the whole interest in the land, whether with or without consent, and whether for his own benefit or not, and whether subject or not to incumbrances," and as the Bill proposes to put leasehold land on a similar footing in all respects with respect to registration to freehold land, all land capable of registration may be registered with an absolute, qualified, or possessory title, and the right to mines or minerals may be separately registered. The Bill aims at making registration of title compulsory but gradual, the introduction of registration in any particular district being left to orders in council, so that the system may be tried at first in selected districts to be from time to time enlarged or supplemented, and may eventually become universal. The effect of an order in council declaring that registration is to be compulsory in a land transfer district is to be (clause 2) that from and after a day to be specified in the order every person in possession of any land in the district capable of registration must before selling, settling, mortgaging, or leasing for more than twenty-one years such land be registered as a proprietor of the land, or have a proprietor registered on his behalf, and until a proprietor of the land has been registered a conveyance or lease executed after the specified day will have even less operation than a contract now has. The committee suggest that the several orders in council should always allow an interval of not less than six months between the creation of the land transfer district and the date after which registration is to become compulsory, in order to enable intending vendors, lessors, &c., to prepare for and complete registration. For, if registration is to be made compulsory, as is at present the scheme of the Bill, it is evident that when the compulsory clause first comes into operation there will necessarily be an enormous number of applications poured into the register office, and, unless ample time is given for preparation and organisation, the conveyancing work of the district will fall heavily into arrears, and the system at once acquire a bad name, which will not easily be lost. The Bill as revised retains the principle of registration by the grantor, and not necessarily by the grantee, and will therefore necessitate, as a general rule, a double registration, the advantages of which the committee fail to appreciate. The committee desire to repeat their opinion, which is shared by most of the country societies, that registration, if made compulsory, should be enforced on the first dealing with land after the establishment of the land district in which it is situate, and that the duty of registration should be thrown on the grantee, and not on the grantor. Take, for example, the case of the sale of a small piece of land, part of a large estate. If the scheme proposed by the Bill be adopted, the owner of the large estate would probably be advised not to begin under the new system by registering himself as proprietor of the fragment proposed to be sold, but to comply with the requirements of the Act as to his whole estate; and this seems to be in accordance with the spirit and intention of the Bill. In that case the sale of the small piece would either be delayed until the large estate had been registered, or it would be abandoned by the vendor from dread of the trouble and expense of registration. The double registration seems, however, to be deliberately intended. For the proviso now added to clause 2 removes the need of registration before conveyance in specified cases when the proprietor is not a party to the conveyance, and in those cases throws the duty of registration on the grantee. If, however, the words "on his behalf" (Clause 2, line 10) were omitted, it would be possible for a proprietor, on applying for registration, to have the grantee registered in his stead; and clauses 4 and 7 are framed at if this view had been in the mind of the draftsman, though, if so, it is certainly not carried out. Or the objection could be met by allowing a conveyance prior to the registration of a proprietor of the land, or a contract made subsequently to confer a right to obtain registration (as in clause 2, sub-section *b*). Sub-sections (*a*) and (*b*) of this clause have been revised so as to meet the difficulties pointed out by the council, and a conveyance executed before registration does not incapacitate the grantee from taking any benefit in the land conveyed. A person succeeding under the will, or on the intestacy of a proprietor dying before registration, is apparently intended to have the right to obtain registration, and, on registration being complete, his rights in the land are to take effect as from the date at which they would have otherwise accrued. The Committee, however, think it doubtful whether such a person would be qualified to apply for registration under clause 4, sub-section 1, unless that sub-section is enlarged.

The suggestion made by the council, that in the case of settled lands the tenant for life should be entered as registered proprietor, has been adopted

(clause 5, sub-section 1), and in the following sub-sections provisions have been inserted to prevent this entry from enlarging the estate of the tenant for life, or prejudicing the rights of the trustees or reversioners. But the duty of entering on the register the name of a succeeding tenant for life is still cast upon the trustees, and the executors of a will creating a settlement are still to be deemed trustees until other trustees are appointed. The committee remain of opinion that the duty of registration should be thrown upon the succeeding tenant for life, after notice to the trustees; or that upon refusal or failure by the trustees the tenant for life should have power to register; for it may well happen that the trustees may decline to carry out a duty involving some expense which they may have no funds to meet. The right to apply for registration is by the new sub-section (6) given to a tenant for life who succeeds to settle land before trustees of the settlement (if at the death of the preceding tenant for life there were no trustees) have been appointed. And in the case of a person entitled under a defeasance, the duty of registration is thrown on the successor and not on the trustees. The committee suggest that, inasmuch as the registration of a proprietor as tenant for life necessarily implies the existence of a settlement, words should be introduced to relieve a purchaser or other dealer with the land from being affected with notice of the trusts of that instrument. Clause 6, the provisions of which in the Bill as originally introduced conflicted with the provisions of section 30, has been entirely redrawn, and is now clause 8. As now drawn, it is confined to the object of giving to the personal representatives of a sole registered proprietor, or the survivor of several registered proprietors, the right to deal with the land or charge, and omits all reference to the liability of real estate to debts, which is a matter dealt with in a subsequent part of the Bill. The doubt suggested in the report of the council, whether the effect of registration was not simply to record the state of the title at the date of registration without forbidding the continuance of all future dealings according to the present system of conveyancing, is admitted to have been well founded, and clause 9 is intended to remove the doubt by declaring that nothing in section 49 or any other part of the principal Act shall enable any legal estate or interest in any registered land or charge to be conferred otherwise than by a registered disposition.

Confirmation of Possessory or Qualified Title.—Part III. of the Bill introduces an entirely new mode of acquiring an absolute title without (apparently) much, if any, investigation of title except by or on behalf of the applicant himself. Any person registered with a possessory or qualified title (and it may probably be assumed that most registrations will be with possessory title as least costly and troublesome), may (clause 10) apply for confirmation of his title as an absolute title at the expiration of five years from the date of publication of the first notice. The application is to be accompanied by an affidavit with prescribed particulars, and after the expiration of five years from the first publication of notice of the application, the applicant may, in the absence of any effectual opposition, be registered as an absolute owner. The notices are to be published in the month of November in each of the five years. It appears to the committee that the scheme for confirmation of a possessory or qualified title involves a very important alteration of the law, and one which is liable to grave risk of abuse. The introduction of a new clause (clause 16), authorising the Land Transfer Board on such an application to grant a qualified title only, and not necessarily an absolute one, as originally contemplated, is a great improvement and safeguard. But the Committee do not see any sufficient reason for allowing a title originally registered as possessory, and therefore with but slight evidence, to become either absolute or qualified, *i.e.*, absolute except against certain persons, after so short a period as five years, or indeed at any shorter period than is required by the Statute of Limitations for the time being in force. If the period fixed by the Statute of Limitations is deemed too long, it should be shortened by a general Act; and the Committee deprecate the introduction of two modes of limitation, the one by lapse of time applicable generally, and the other by advertisement applicable only to special estates. They regret that the Bill does not make it necessary that the solicitor for the applicant should concur in the affidavit, as is required by the rules under the Act. It has been suggested to the committee that the month of November would be an inconvenient month for the advertisements, in consequence of the number of railway notices which appear at that time. But the committee incline to the opinion that it is on the whole desirable to have a fixed month for all such notices, and the public are now in the habit of looking out in November for advertisements affecting their locality. The clauses have been carefully revised, so as to leave a very wide discretion in the Land Transfer Board, and to protect as far as possible persons who may have adverse claims; and the suggestion of the Council that a change of proprietorship should not determine the application which the successor should be at liberty to continue, has been adopted (clause 13, sub-section 6). Clause 9, sub-section 3, has been struck out, and no special provision is made for costs in connection with any petition against an entry confirming the title, and this, in common with so many other matters, appears to be left to the rules. The committee see no reason for the special protection given by clause 15, sub-section 3, to persons absent from "the United Kingdom in the service of the Crown," and think that the same protection (if necessary at all) should be extended to all persons out of the kingdom.

Boundaries.—This part of the Bill has been greatly altered since its original introduction, but is even less likely to be often made use of than in its original shape. For the clauses as originally drawn promised finality, as the result of an application involving probably considerable discussion, if not actual litigation. But, as the clauses now stand, the boundaries even when ascertained and entered in the register are not conclusive. By the new clause (clause 19), if the boundaries as entered in the register are not in accordance with the actual boundaries as enjoyed by the registered proprietor (whether apparently by reason of mistake at the time of entry, or by subsequent encroachment on the part of an adjoining owner), the registered proprietor, if he would under existing law be barred by the Statute of Limitations, is to be similarly barred notwithstanding the entry. If the element of finality is eliminated, the object of this part of the Bill is not clear, and few landowners will care to embark on so delicate an investigation as is incident to all boundary questions for the attainment at last of so qualified a result. Subject to this general observation, the provisions of this part of the Bill as revised are greatly improved. A proprietor may apply to have the boundaries of *part* of his land determined without necessarily involving an inquiry into the boundaries of the entire estate. The affidavit accompanying the application is to set forth the grounds of the applicant's knowledge and belief that the persons named are in possession of the adjoining lands. Opposition may be made on behalf of a specified class of persons, or of the public, without being accompanied by alleged injury to the opposing petitioner, as was necessary in the Bill as framed; and a joint application to settle boundaries may be made by adjoining owners, although only one may have registered his land.

Insurance Fund.—The Bill provides for the establishment of an insurance fund by means of an insurance fee upon first registration with absolute or qualified title, and on subsequent dealings with registered land. The committee consider that this fund should be established at the cost of the public, and not of landowners. Inasmuch as the registration is assumed to be compulsory and not optional, the benefit must be assumed to be to the public generally rather than to landowners as a class. For if it were beneficial to them as a class, compulsion would be unnecessary. If registration were optional, an insurance fund would not be required, as the system would be in substitution for, and, on the hypothesis, preferable to, the present system of conveyancing, and would need no other safeguarding than that which the present system affords. If, however, registration is to be compulsory, landowners must of course be indemnified against any mistake, fraud, or error which they are against, or, at least, irrespective of, their consent compelled on public grounds to risk. But it is obviously unfair and unreasonable to compel landowners to incur a risk which the Bill assumes they would now do voluntarily, and at the same time to throw on them the cost of insurance against the consequences; and the insurance against mistake or fraud should fall on the public, and be provided out of the Consolidated Fund. Experience here and elsewhere shows the extreme infrequency of mistake or fraud, and it is unlikely that any serious claim will have to be met. But the premium charged will add greatly to the unavoidable cost incident to registration, and will, for the reasons already given, be felt to be an unfair tax upon the landowners, who, more perhaps than any other class, are feeling at this time the consequences of the severe agricultural depression of the last few years. The revision of these clauses (20 and 21) has with one exception been confined to verbal alterations and additions, rendered necessary either by other changes in the Bill or in order to make clearer the grounds on which compensation may be sought. The exception is in clause 20, sub-section 1, which limits the right to compensation to cases in which the person aggrieved "cannot obtain compensation from the persons liable to pay the same." In other words, instead of affording to a registered proprietor a ready means of indemnity, provided he can satisfy the Land Transfer Board of his right to compensation, leaving the Board, under section 6 of the first schedule, to recover from the person or persons (if any) liable in respect of the mistake or wrongful act which caused the loss, the aggrieved proprietor is first to exhaust his legal remedies (which must in many cases involve much cost and delay, and in case of fraud can scarcely do more than result in a judgment against a pauper), and then apply to the Board for compensation, which will not include any indemnity against the legal expenses which have been necessarily incurred. The committee submit that this is unreasonable, and that the landowner, having no option but to register his land, should have a full and ready indemnity against loss caused by some act or omission for which he is not responsible, since, if he were, he would have under the provisions of the scheme in the first schedule no right to compensation at all. The compensation provided by the insurance fund is by the Bill limited to "the capital value of the land or charge as ascertained for the purpose of the payment of the insurance fee." Under the Australian system of registration the capital value for the purposes of the fee is fixed (if the registrar requires it) by the declaration of the owner, supported (if required) by a licensed valuer; and the measure of damages is fixed at the full value of the land at the moment of deprivation or loss of right, and this principle would have to be adopted if the system of guaranteed title be substituted for that of indefeasible title. The committee are of opinion that, if the system as embodied in the revised Bill is to be adopted, there should be a right on the part of any registered proprietor to increase his insurance by filing a declaration of increased value and paying an additional premium.

Extension of Registration.—Clauses 22 and 23 are altogether new, and provide for an application for registration with a qualified title, and for registration of undivided shares, and of chambers or other portions of a house constituting a separate freehold, none of which could have been dealt with under the Bill as drawn. Clause 24, which provides for the registration of rights in or over land, has been extended, but the committee retain the opinion expressed in the former report, that unless such registration is compulsory, so as to make the register an exhaustive statement of the title to registered land, it would be preferable not to allow registration at all of matters incident to most land, and readily ascertainable on inspection or ordinary inquiry. On the other hand, to make the register an exhaustive statement of title would involve greatly increased cost and complication. Section 18 of the Act, as extended by clause 29 of the Bill, appears to do all that is necessary.

Transfers and Charges.—These clauses are slightly added to, so as to make more clear the powers of a registered owner of a charge on land to deal with his security, and to ensure these powers being exercisable by a transferee, and not only by the first registered proprietor.

Miscellaneous.—Clause 25 of the Bill is altogether struck out, and clause 22 substituted, and the provisions now proposed for the registration of a married woman's interest in land appear sufficient and clear. Sub-section (3) to

clause 35 provides an appeal against the refusal of an application to register, which is certainly necessary, and was not before given. The power of the Lord Chancellor to make rules from time to time is very wide, and is in some respects extended by the revised clause, but sub-section 10 of the original clause, which conferred upon the Lord Chancellor actual legislative power, has been struck out, and the suggestion made by the council that Parliament should have express and not merely implied power to annul any rules has been adopted. But it may be doubted whether under the clause as now inserted (clause 37 (2)) the functions of the Houses of Parliament are not limited to the adoption or rejection of the rules as a whole, and this might, especially in the case of the first rules, which must necessarily be voluminous, be extremely inconvenient, since, in order to strike out a particular rule or class of rules, Parliament would be compelled to annul the whole. The committee suggest that the clause should be altered in this respect, and allow either House to annul or modify all or any of the rules laid before the House. The Committee feel bound to repeat the objection which appears to them to exist to vesting the power of making rules in the Lord Chancellor alone. The whole character of the measure, and the greater or less success of the proposed scheme, will depend to a very great extent upon the rules issued from time to time for the guidance of applicants and of the board. Scarcely a clause of the Bill purports to do any act except in "the prescribed manner," or on "the prescribed conditions," or within "the prescribed time," and it is not too much to say that the framer of the rules can greatly extend or materially diminish the scope and effect of the Bill when passed into law. No doubt the Lord Chancellor will act upon the best information, and the rules when issued may, if open to grave objection, be annulled by Parliament; but the remedy is not one to be relied on, and the Committee entertain strongly and unanimously the opinion that the rules should be framed by the Land Transfer Board, assuming its constitution to be strengthened as already suggested, or at all events by a tribunal on which practising barristers and solicitors are represented, and should be submitted to the Lord Chancellor for approval and issue. Upon the importance of some such restriction the committee refer to the unanimous expression of opinion obtained from the country law societies. The committee strongly urge that the rules, however and by whomsoever framed, should be issued and in the hands of the profession and the public not less than six months before the issue of any order in council declaring the registration of land compulsory, so that preparation may be made for the revolution in dealing with property in that district which such a declaration will involve. Unless this, or some such sufficient period, is allowed, the commencement of the new system will inevitably be marked by extreme confusion, and disappointment, since neither officials nor practitioners will have any previous knowledge of the work which they are expected to perform. The Bill alone without the rules contains nothing but a bare outline indicating the framework of the intended organisation and procedure, leaving all details (and in such a system details are all important) to be "prescribed."

The Committee further urge that the costs to be charged by solicitors in respect of registration and the dealings with registered land should be fixed by the special tribunal constituted under the Solicitors' Remuneration Act.

Amendments of Law of Real Property.—The Bill proposes to abolish all existing modes, rules, or canons of descent as regards real estate; gives to the personal representatives of a copyholder a year within which to dispose of the copyhold land without taking admission; empowers personal representatives to appropriate real or personal estate in satisfaction of a legacy or share in residue; assimilates, except on one point, the rules of devolution and administration of real and personal estate on the death of the proprietor; enlarges all estates tail which could without any consent be barred into estates in fee simple absolute without any deed; declares that expressions which before the Act would have created an estate tail shall create an estate in fee simple; repeals the Statute of Westminster the 2nd, and authorises the redemption out of capital of improvement rent charges temporary or permanent. The amendments authorising the appropriation of legacies or share of residue, enlarging estates tail into estates in fee simple, and authorising the redemption of rent charges out of capital, are retrospective. The last-mentioned amendment was brought before the Lord Chancellor by the council quite recently. The amendments introduced into the Bill go much further than was originally contemplated, and assimilate the devolution, on the death of the proprietor, of real and personal estate for all purposes, except that real estate is to remain liable to succession duty, and is not to become liable to probate or legacy duty, and that a surviving wife or husband is to be entitled on intestacy to a life interest in the husband's or wife's real estate, with a proviso saving the rights of persons married before the passing of the Act, and of infants and lunatics (clause 39, sub-sections (2) and (4)). The committee think that the law should either be made the same as to both real and personal estate, or should be left as at present, and that the provision by which a life interest in real estate is given to a surviving husband or wife is open to serious objection. No obligation is thrown on the surviving parent to maintain the children (if any) out of the income. On the intestacy of a husband, his widow would be entitled to the income whether she were the mother of his children or not, and whether she were married to a second husband or not, and the children might be left destitute. The committee recommend that, if the proposed alteration in the distribution of real estate be sanctioned, the words "*pari passu* with his personal estate," which would greatly fetter the discretion of the personal representatives of the deceased proprietor, should be struck out of clause 42, sub-section 1, and that as far as possible the administration of real and personal estate should be identical. The powers given in the Bill to the personal representatives of a deceased proprietor to conclusively value the property of the deceased for the purpose of appropriation *in specie* is modified by requiring the valuation to be made in accordance with "the prescribed provisions." Clause 44 is entirely new, and amends the law as to succession duty by making it an incumbrance on land capable of registration. The duty of entering a caution to protect this charge is thrown on the Land Transfer Board, who are to inform the Commissioners of Inland Revenue, and the caution is to expire at the end of six months unless renewed by the commissioners, who may not without special leave renew after the expiration of two years from the date of the original entry. The caution is to be removed on satisfaction of the duty. The clause is intended to render impossible, as against purchasers or grantees, the hardship of stale or dormant claims for duty, but its practical working is not clear. The enlargement of estates tail into absolute estates in fee simple, without any disentailing assurance, is slightly modified, so as to provide for the continuance of the entail not only in the case of a tenant in tail in possession at the passing of the Act, but also in the case of a tenant in tail of unsound mind entitled in reversion at the date of the Act, and then and thenceforth until he becomes tenant in tail in possession. The section enlarging a base fee into a fee simple absolute has been struck out. The clause abolishing future estates tail has been strengthened, and another clause added, extending the alteration of the law to lands of copyhold tenure. With the passing of the Act, therefore, estates tail will, except in the case of existing settlements, be no longer known to the English law.

Discontinuance of Registries of Deeds.—Power is taken to close local registries as to part only of the land within their districts, if such part is within a land transfer district. In the clause (49, sub-section (1)) providing for the existing staff of existing registry offices, the words (p. 24, line 8) "if he so consents," which appear in the draft amendments have been inadvertently left out, and should be inserted after the word "or" in that line. The remainder of the clause is unaltered.

Supplemental Provisions.—The committee refer to their observations on clause 37 as to the extreme importance of allowing a sufficient interval to elapse before registration is in any district made compulsory. But the Land Transfer Board, if constituted at once, and entrusted with the preparation of the rules, must of course come into office as soon after the passing of the Act as possible. An addition (sub-section 4) has been made to clause 53, to which, if the committee rightly apprehend its effect, they entertain very strong objection. The clause deals with the remuneration of the members and officers of the Land Transfer Board, and goes on to provide that "any officers employed on behalf of applicants for registration, or other persons dealing with the Land Transfer Office, may be remunerated by the payment of such fees by the parties as may be prescribed." This proviso appears to point to the establishment of officials authorised to transact for reward the business of the Land Transfer Office; and it is obvious that such a system would be extremely unfair to solicitors, and would, as has been previously found to be the case, lead to touting of a very objectionable character. The committee do not, of course, desire to limit the right of any proprietor to transact his own business without employing an agent of any kind. But if an agent be employed, and is to be remunerated for the services which he may render, the committee feel bound to claim that the business of conveyancing for fee or reward which has up to the present time been exclusively entrusted to solicitors should continue to be so entrusted. Public policy has hitherto dictated this course as the best in the public interest, and solicitors as a body have, in consequence of their exclusive privileges, been subjected to summary discipline and to numerous restrictions. They have to undergo a prolonged professional education and severe examinations, and their remuneration, instead of being, as in other professions, fixed by themselves, is carefully limited by statute. The committee contend that it would be manifestly unfair and unreasonable to introduce, as part of a generally compulsory scheme, provisions tending to place the conduct of much, if not the greater part, of the conveyancing business of the country into official hands. The change would operate with special hardship on solicitors practising in the country or in small practice. Moreover, on public grounds, and for guaranteeing as much as possible the *bona fides* and accuracy of dealings with land, it is important that those who practise in land transfer business should be responsible and well trained; and that all transactions should be conducted through a solicitor, who would identify the parties, and be amenable as an officer of the court for any irregularity. If the committee have correctly appreciated the intention of the proviso cited, they feel that on this point every possible opposition should be offered to the Bill. In clause 56, in addition to district registrars of the High Court, there are inserted as officers which may be made auxiliary to the Land Transfer Board, "clerks of the peace, clerks of Land Tax Commissioners, clerks to justices, or registrars of county courts."

Miscellaneous.—Clause 62 has been introduced to complete the assimilation of real and personal estate, and provides that the word "heirs" shall continue to take effect as a word of limitation only, for the purpose of determining the quantity of the estate or interest to be taken by the person in connection with whose name the word is used; but when used for the purpose of designating a class intended to take beneficially, shall, in documents executed before the passing of the Act, have the same meaning as at present; but in documents executed after the passing of the Act shall, unless a contrary intention appears, be construed to refer to the next of kin, according to the statute of distribution. The Bill is to be construed as one with the Act of 1875, and is to come into operation on the 1st January, 1888.

First Schedule.—The additional object of the insurance fund (sub-section (2)) suggests that the difficulty inherent in an indefeasible title begins to be evident to the framers of the Bill, and that the idea of a guaranteed title is gaining ground. For this sub-section contemplates compensation to a registered proprietor dispossessed because his title was in some way vitiated by fraud, forgery, or error, and the real owner has been reinstated. The cost of insurance is somewhat reduced by the new proviso on p. 33, which provides that where a transfer for valuable consideration is made within three months after first registration, no insurance fee shall be payable upon such transfer. Sub-section C, as originally drawn, deprived a person of any claim to compensation, if he had contributed to the loss by the act, neglect, or default of himself or his agent. But as revised, the aggrieved person is to

be entitled in such a case either to no compensation, or to a proportionately less amount of compensation according to the degree in which he has so contributed. The committee regret to find that no provision is made for full compensation to the person aggrieved, but only for compensation to the amount of the purchase money or charge. It is obvious that if a registered proprietor had acquired land for building, and had laid out money thereon, and was then dispossessed, the purchase money given for the vacant site would be a very inadequate compensation. The committee repeat their recommendation that, if the proposed scheme of insurance be retained, power should be given to a proprietor of land to increase the amount of his insurance by increasing his premium and filing a declaration of increased value in the prescribed manner.

THE COUNTRY LAW SOCIETIES ON THE LAND TRANSFER BILL.

An appendix to the report of the Committee of the Incorporated Law Society contains an epitome of the replies and observations of the country law societies to and upon the queries submitted by the Incorporated Law Society. These queries were as follows:—

1. Whether, assuming registration of title to be desirable, the modification of the Land Transfer Act, 1875, proposed by the Land Transfer Bill, 1887, is the best scheme possible, and, if not, what improvements would be desirable?
2. Whether the system of registration of title ought to be made compulsory?
3. Whether a Land Transfer Board and its branches, formed in the manner suggested in the Bill, would be able to despatch and deal promptly with the multitude of transactions in land which each day press for settlement?
4. What effect the system proposed is likely to have on the cost of conveyancing, especially in transactions under £200?
5. Whether the plan proposed for the conversion of possessory or qualified titles into absolute titles is likely to work well?
6. Whether the plan proposed for conclusively settling boundaries is likely to work well?
7. Whether the plan proposed for an insurance fund is well adapted and sufficient to meet the dangers arising from fraud or mistake?
8. Whether the proposed composition of the Land Transfer Board is satisfactory; or whether it would be capable of any, and what improvement?
9. Whether the power of making the rules by which the system of registration, confirmation of title, and transfer of land and charges, is to be formed and regulated, ought to be vested in the Lord Chancellor alone, or whether the concurrence should be required of any other authority?
10. Whether it is desirable that real estates should vest on the death of the owner in his personal representatives?
11. Whether is desirable that, on the death intestate of a landowner, his real estate should be divided between his next of kin by his personal representatives as if it were personal estate?
12. Whether it is desirable that estates tail should be abolished?

Twenty-one replies were received, of which we hope hereafter to publish an analysis. The result of the replies may be thus summed up—

A large majority of the replies are, on the assumption that registration of title is to be adopted, in favour of the scheme of the Bill, but stress is laid on the importance of a Consolidation Act (which the Lord Chancellor has since promised) and of numerous local registries with small districts. On the question whether or not the system should be compulsory, there is some difference of opinion, 15 being against and 5 in favour of that course, while the view is more than once expressed that registration, if compulsory, should be applicable to possessory titles only, and be in respect of the next dealing after the passing of the Act.

Fears are expressed that the system will be choked with the volume of work, unless district registries are very numerous and have but small districts attached to them, and unless the local knowledge of practising solicitors be utilized.

That registration must involve increased cost and delay is the almost unanimously expressed opinion, and special stress is laid upon this in small transactions which are so numerous in the country. The societies of Birmingham and Preston give valuable details upon this point.

Opinions are divided, but are, on the whole, adverse to the proposed plan by which possessory or qualified titles are made convertible into absolute titles, and fears are expressed that it would facilitate fraud, and would not be found useful enough to justify the cost and risk.

Not one of the societies is in favour of the plan for conclusively settling boundaries, and fears are evidently felt that, if the plan should be adopted, much litigation would certainly result.

The insurance fund is generally admitted to be a necessary part of the scheme, but objection is taken to its cost being thrown upon landowners, who are compelled to register, instead of upon the public, and to the high rate of premiums.

The composition of the Land Transfer Board is not considered satisfactory. The expression in the memorandum prefixed to the Bill that it would consist of "persons of experience in organization and administration as well as in conveyancing," is quoted, and the societies are unanimous in desiring that solicitors, who necessarily have much practical experience, should form part of the board.

There is a strong feeling that the power of making rules should not be vested in the Lord Chancellor alone, but in a board on which barristers and solicitors should be represented.

The three alterations in the law referred to in questions 10, 11, and 12 are almost unanimously approved, though some of the societies consider the question one of public policy rather than of law.

In addition to replies to the specific questions, most of the societies expressed opinions upon the Bill or specific clauses in it, and these have been carefully considered and to some extent embodied in the supplemental report.

LEGAL NEWS.

OBITUARY.

Mr. John Roland Phillips, barrister, stipendiary magistrate for the borough of West Ham, died on the 3rd inst. after a lingering illness. Mr. Phillips was the only son of Mr. David Phillips, of Cilgerrun, Pembrokeshire, and was born in 1844. He was called to the bar at Lincoln's-inn in Trinity Term, 1870, and he formerly practised on the South Wales and Chester Circuit. He was for some time on the staff of the Weekly Reporter. Mr. Phillips was author of a "History of Glamorganshire," "The Civil War in Wales, and its Marches," and other historical works. In 1881 he was appointed by Sir William Harcourt to the office of stipendiary magistrate at West Ham. Mr. Phillips was a magistrate for the county of Essex. At the West Ham Police-court on the 4th inst., Mr. Meeson, mayor of West Ham, Mr. Bishop Culpeper, deputy-stipendiary magistrate, Mr. Bruty, clerk of the court, and Mr. Thomas Willis, solicitor, expressed their sorrow at Mr. Phillips's death, and their sense of the industry, courtesy, and patience which had characterized his magisterial career. Mr. Phillips was married in 1873 to the daughter of Mr. Arthur Hargreaves, of Nebraska, U.S.

Mr. John Williams, solicitor, town clerk of Brecon, died at that place on the 27th ult. after a somewhat long illness. Mr. Williams was born in 1829. He was admitted a solicitor in 1861, having been articled to Mr. Roger Watkins, whom he succeeded in 1873 as town clerk of the borough of Brecon, which office he held until his death. Mr. Williams had a considerable practice in the town and district. He was buried at the Brecon Cemetery on the 30th ult., the mayor and many members of the corporation being present at the funeral.

Mr. Francis Frederick Pinkett, Chief Justice of the West African Settlements, died at Freetown, Sierra Leone, on the 28th ult. Chief Justice Pinkett was the second son of Mr. Edward Pinkett, of Barnstaple, and was born in 1838. He was called to the bar at Gray's-inn in Michaelmas Term, 1863, and he practised for several years on the Western Circuit and at the Devonshire Sessions. In 1880 he was appointed Crown Solicitor, Registrar-General, and Master of the Supreme Court at Sierra Leone. In the following year he was appointed to act as Chief Justice of the West African Settlements, and in 1883 he received a permanent appointment as Chief Justice. The deceased had twice administered the Government of the West African Settlements, and he was a member of the Executive and Legislative Councils.

Mr. William Peter Jolliffe, barrister, died suddenly at Bournemouth on the 31st ult. at the age of seventy-four. Mr. Jolliffe was the only son of Mr. Christopher Jolliffe, of Toah, Dorsetshire, and was born in 1813. He was called to the bar at Gray's-inn in Trinity Term, 1839, and he had practised for many years as an equity draftsman and conveyancer. Mr. Jolliffe had been standing counsel to the Governors of Queen Anne's Bounty since 1878, he was selected a bencher of Gray's-inn in 1875, and he was a member of the Council of Legal Education. He was married in 1843 to the daughter of the Rev. William Penny, but he became a widower in 1884. Mr. Jolliffe was buried on the 4th inst.

Mr. Rolla Rouse, barrister, died at Fern Hill, Melton, Suffolk, on the 2nd inst. in his eighty-second year. Mr. Rouse was the son of Mr. William Rouse, of Hasketon, Suffolk, and was born in 1805. He was called to the bar at the Middle Temple in Michaelmas Term, 1839, and he was known as the author of several legal handbooks, including "The Practical Man," "The Practical Conveyancer," and "The Copyhold Enfranchisement Manual." He had also edited "Bateman's Law of Auctions." Mr. Rouse was a magistrate and deputy-lieutenant for the county of Suffolk, and he held for several years the rank of major in the 2nd Battalion of Suffolk Rifle Volunteers. He was married in 1830 to the daughter of the Rev. Philip Meadows, but he had been a widower for about five years.

APPOINTMENTS.

Mr. Lees Knowles, barrister, M.P., has been appointed Assistant Private Secretary to the President of the Local Government Board. Mr. Knowles is the eldest son of Mr. John Knowles, of Pendlebury, Lancashire, and was born in 1857. He was educated at Rugby and at Trinity College, Cambridge. He was called to the bar at Lincoln's-inn in November, 1882, and he is a member of the Northern Circuit. Mr. Knowles has been M.P. for the West Division of the Borough of Salford since July, 1886.

Mr. William Mitchell, solicitor, of 25, Fenchurch-street, has been appointed a Commissioner to administer Oaths in the Supreme Court of Judicature.

Mr. John Humphrys Hodson, solicitor (of the firm of Hinckley & Hodson), of Lichfield, has been elected Town Clerk of that city, in suc-

cession to Mr. Charles Simpson, resigned. Mr. Hodson was admitted a solicitor in 1861.

Mr. Frederick Treiawney Hare, solicitor, of Totnes, has been appointed Registrar of the Totnes County Court (Circuit No. 58), and District Registrar under the Judicature Acts, in succession to his partner, the late Mr. Theodore Bryett. Mr. Hare was admitted a solicitor in 1862. He is clerk to the Totnes Burial Board and to the county magistrates.

Mr. John Spours Nicholson, solicitor, of Sunderland, has been appointed Clerk to the Boldon School Board. Mr. Nicholson was admitted a solicitor in 1884.

Mr. Thomas Mace, solicitor (of the firm of Kilby & Mace), of Banbury, Chipping Norton, and Charlbury, has been appointed Clerk to the Oxhill School Board. Mr. Mace was admitted a solicitor in 1872.

Mr. Bernard Wise, barrister, has been appointed Attorney-General for the Colony of New South Wales.

Mr. William Spend, Q.C., has been appointed an Examiner for the degree of B.C.L. at the University of Oxford.

Mr. Arthur William Crawley Boevy, barrister, has been appointed to act as a Police Magistrate at Bombay. Mr. Boevy is the fourth son of Sir Martin Crawley Boevy, Bart., and was born in 1873. He was educated at Balliol College, Oxford, and he was called to the bar at Lincoln's-inn in Trinity Term, 1868. He has been for many years a member of the Bombay Civil Service.

Mr. Harry Pearson Brocklesby, solicitor (of the firm of Brocklesby, Ley, & Brocklesby), of 9, Walbrook, has been appointed a Commissioner for taking Affidavits and Acknowledgments in the High Court of Judicature at Calcutta.

Mr. Lewis Emanuel, solicitor (of the firm of Emanuel & Simonds), of 36, Finsbury-circus, has been appointed a Commissioner for taking Affidavits in the Supreme Court of the Colony of South Australia.

GENERAL.

The annual general meeting of the bar will be held in the old dining hall, Lincoln's-inn, on Saturday, the 18th inst., when a resolution will be proposed to alter the date of the annual meeting to the last Saturday in the Hilary Sittings.

Professional habit is difficult to shake off. Rumour has it that several of the replies to the invitations to the festivities issued by the Incorporated Law Society were headed "*Re the Entertainments*"; and that at least one gentleman accepted the invitation to one banquet expressly "*without prejudice*" to his chances of the other.

The *Times* announces the death, at Leipsic, of the eminent German professor of jurisprudence, Dr. Johann Ernst Otto Stobbe. He was the author of a large number of valuable works, besides being the editor of the *Zeitschrift für Deutsches Recht*.

The contract for the erection of the Victoria Law Courts, at Birmingham, of which the foundation-stone was laid by the Queen a couple of months ago, has been assigned to Mr. John Bowen, of Birmingham, the sum being £78,869.

In order to avoid a contest, Mr. F. W. Maclean, Q.C., M.P., Mr. E. Cutler, Q.C., and Messrs. A. Underhill, S. Hall, and F. Evans have withdrawn their names from the list of candidates for election as members of the Bar Committee, and there will consequently be no necessity for a poll.

The *Times* says:—"It is generally well worth while to consider attentively the proceedings at the annual meetings of the Incorporated Law Society. Rarely do they fail to elucidate points of practical importance. Their discussions, an unfriendly critic might say, at best express only the opinions of a professional trade union; but, at all events, it is an enlightened trade union, which discusses matters affecting the legal profession in no narrow, purely cost-making spirit. Its work in past years stands out in favourable contrast to that most feeble of institutions, the Bar Committee, which, as far as is generally known, has yet done little more than indulge in querulous wails as to distribution of patronage or puny unnoticed suggestions. . . . Probably there never was a time when there was so little energy directed to legal reform as now. The movement for which Lord Selborne did so much, and which resulted in the Judicature Acts, has long spent its force. In the House of Commons there is no interest in the matter, and no measure of legal reform has the remotest chance of passing. In regard to criminal law, for example, there is an absolute stoppage. Even a small, unobjectionable measure of reform such as Lord Bramwell's Bill for easing the work of assizes by extending the jurisdiction of justices to burglary meets with opposition. Some of the old agencies for legal reform no longer exist; the Juridical Society, for example, which did good work in its time, is dead, and nothing has taken its place. But for the activity of the Incorporated Law Society, legal reform as it was once understood—the efforts of legal experts to improve law—would be almost extinct."

There has just been published in Germany a work on the penal and prison system of England, from the pen of a Prussian judge, Dr. P. F. Aschrott, entitled "Strafensystem und Gefängnisswesen in England." In order to procure the materials and requisite information for the preparation of this interesting volume its author visited this country two years ago, and through the courtesy of the authorities was furnished with every facility for the attainment of his object. His own official position and his special commission of inquiry from the German Government afforded him great advantage in pursuing his researches. The results of his investigations, as given by the *Times*, are, first, proof of the successful results of the supervision of offenders discharged from prison conditionally on their good behaviour during the unexpired terms of their original sentences; and next, that one of the chief defects of English procedure, in regard to criminals, consists in the general absence of the initiation of prosecutions by the Government. He is surprised that the institution of the office of Public Prosecutor, which at one time was so hopefully looked to, as holding out a prospect of better things, has resulted so disappointingly. He dwells upon the fact that an arrangement which throws upon private citizens, however poor and ignorant and otherwise occupied, the expensive burden of setting the law in operation for the vindication of their most ordinary rights of property is fraught with much danger and injustice to the community, and tends to furnish impunity to the offenders in many instances and to inflict cruel wrongs on helpless sufferers. The work also contains interesting observations on many other matters, including prison labour, reformatory and industrial schools.

COURT PAPERS.

SUPREME COURT OF JUDICATURE.

ROTA OF REGISTRARS IN ATTENDANCE ON

Date.	Appeal Court No. 1.	Appeal Court No. 2.	Mr. Justice Kay.	Mr. Justice Chitty.
Mon., June 13	Mr. Leach	Mr. Beal	Mr. Ward	Mr. Godfrey
Tuesday ... 14	Godfrey	Pugh	King	Leach
Wednesday 15	King	Beal	Ward	Godfrey
Thursday .. 16	Ward	Pugh	King	Leach
Friday 17	Clowes	Beal	Ward	Godfrey
Saturday... 18	Pemberton	Pugh	King	Leach

	Mr. Justice North.	Mr. Justice Stirling.	Mr. Justice Kekewich.
Monday, June 13	Mr. Jackson	Mr. Carrington	Mr. Pemberton
Tuesday 14	Koe	Lavie	Clowes
Wednesday..... 15	Jackson	Carrington	Pemberton
Thursday..... 16	Koe	Lavie	Clowes
Friday 17	Jackson	Carrington	Pemberton
Saturday 18	Koe	Lavie	Clowes

COURT OF APPEAL.

TRINITY SITTINGS, 1887.

Special Notice.—Queen's Bench Final Appeals in Court I., and Chancery Appeals (General List) in Court II., will be taken on the usual days during Trinity Sittings.

Queen's Bench Interlocutory Appeals in Court I., and Chancery Interlocutory Appeals in Court II., will be taken on the first day of the Sittings, also in Court I., on the second day (Wednesday), and afterwards as usual, every Wednesday, during the Sittings. Bankruptcy Appeals also, as usual, on Fridays in Court I.

Appeals from the Lancaster Palatine Court (if any), which have been passed over in the General List, will be taken in Court II. on Thursday, June 9th, and Thursday, July 7th, and Thursday, August 4th.

The Admiralty Appeals (with Assessors) will be taken in Court I. on days to be specially appointed by the court.

Appeals for Hearing.

(Set down to Wednesday, June 1st, inclusive.)

FROM THE CHANCERY DIVISION, THE PROBATE, DIVORCE AND ADMIRALTY DIVISION (PROBATE AND DIVORCE), AND THE COUNTY PALATINE AND STANNARIES COURTS.

For Hearing.

(General List.)

Lord Camoys v Mayor, &c of Buralem appl of pltff from judg of V C Bacon (part heard Feb 2, 1886, by Master of Rolls, Lords Justices Lindley & Lopes—s o for engineer to report—report filed—s o till appln made to restore).

Societe Generale de Paris v Dreyfus Bros & Co app of defts Dreyfus Bros & Co, from order of Mr. Justice Pearson, dated 26 March 1885 April 1, 1885 (S O, July 18)

1886.

In re Company or Fraternity of Free Fishermen, &c. of Faversham & Co's Acts app of the Company from winding up order dated March 30, made by Mr. Justice Kay April 14 (advanced by order)

In re The Barangah Oil Refining Co ld & Co.'s Acts app of W. P. Arnot from refusal of Mr. Justice North, dated Nov 3, 1886 (Order by consent March 17—restored by order)

De Mora v Concha app of Manuel A Concha, and Adelinda his wife, from order of Mr Justice Stirling, dated April 29, varying Chief Clerk's Certificate and notice of contention by Juan Jose de la T Concha May 13 (to be in paper on June 20 by order)

In re Herbert H Sugg, dec Sugg v Sugg app of dfts from jdgt of Mr Justice Stirling, dated 1 July, 1886 Dec 7 (S O pending arrangements)

1887.

Jones v Baldock app of dft William Rathbone from jdgt of Mr Justice Chitty, dated 22 July, 1886 Jan 8

Thomas v Doughty app of dft from judgt of Mr Justice Pearson, dated 16 March 1886 Feb 2 (security ordered 2 March)

Meziers (exors) v Chappell app of exors of Chappell from order of Mr Justice Chitty, dated 19 Nov, 1886, disallowing items in account Feb 5

In re Prince Batthyany-Strattman, dec Batthyany-Strattman v Walford & ors app of dft Anne Smith from jdgt of V C Bacon, dated 12 Aug, 1886 Feb 19

Newman & Co v Pinto & Sons app of dfts from judgt of Mr Justice Kekewich, dated 17 Feb, 1887 Feb 23

In re Avery's Patent, No. 6936, A. D. 1885, and Trade Marks Act, 1883 app of plts from refusal of Mr Justice Stirling, dated 23 Feb, 1887, to revoke reapt Lindsay's Patent Feb 23
Norton v Norton app of plt (in forma pauperis) from judgt of V C Bacon, dated 15 Feb, 1886 Feb 25
In re John Smith, dec Smith v Daniell app of plt from judgt of Mr Justice Kekewich (sitting in chambrs for Mr Justice Kay), dated 8 Feb, 1887 Feb 28
Bankes v. Small app of dft from judgt of Mr Justice Kekewich, dated 11 Jan 1887 March 3
Thomas Weldhen v Scattergood app of dft Alice Scattergood from jdgt of Mr Justice Stirling, dated 24 July, 1886 March 9 (security ordered March 23)
J W Weldhen v Scattergood app of dft Alice Scattergood from judgt of Mr Justice Stirling, dated 24 July, 1886 March 9 (Security ordered March 23)
Cavendish v Cavendish app of plt from judgt of Mr Justice North, dated 1 February, 1887 March 10
Seguin v Daugars (on behalf, &c) app of dft G G Daugars from judgt of Mr Justice Kekewich, dated 4 Feb 1887 March 12 (security ordered 14 May)
In re G W Marrett, dec Chalmers v Wingfield app of plt from refusal of Mr Justice Stirling to vary Chief Clerk's certificate, dated 21 Feb, 1887 March 14
Talbot v Talbot app of J L Frere from order of Mr Justice Chitty, dismissing petition March 17
Sheppard, on behalf, &c, v The Scinde, Punjaub, & Delhi Ry Co app of plts from judgt of Mr. Justice Kekewich, dated 16 Feb, 1887 March 23
In re T J Coward, dec Coward v Larkman (construction) app of dft C M Larkman from judgt of Mr Justice Kay, dated 19 Feb, 1887 March 23

FROM THE QUEEN'S BENCH AND PROBATE, DIVORCE, AND ADMIRALTY (ADMIRALTY) DIVISIONS.

For Hearing.

1886.

Oppert v Beaumont & anr app of plt from judgt of Lord Justice Fry at trial in Middlesex without a jury Aug 31
Messenger v Messenger app of plt from judgt of Mr Justice A L Smith at trial at Carlisle Nov 11

1887.

Casebourne & Co & Dorman Long & Co v Avery & ors Owners SS Chadwick & anr app of dfts R P Houston & Co from jdgt of Mr Justice Cave at trial at Leeds without a jury Jan 13
Taylor v Haigh app of plt from jdgt of Mr Justice Grantham at trial at Leeds without a jury Jan 27
Waller v The Northern Accident Insurance Co, ld app of defts from judgt of Mr Justice Cave at trial at Newcastle-on-Tyne without a jury Feb 10 (S O till June 18 by order
Durrant v Holdsworth & anr app of plt from judgt of Mr Justice Mathew at trial without a jury in Middx Feb 10
Canning v Turner & anr app of plt from judgt of Mr Justice Day at trial at Newcastle-on-Tyne with a jury Feb 10
Calvert v Thomas & Lloyd app of plt from judgt of Mr Justice A L Smith at trial at Liverpool without a jury Feb 11
Gribble v Brunton, Bourke & Co app of plt from judgt of Mr Justice Mathew at trial in Middx without a jury Feb 12
Wight v Shaw app of plt from judgt of Mr Justice Denman at trial at Croydon with a jury Feb 15
Elliott v Dabell app of plt from judgt of Baron Pollock at trial without a jury in Middx Feb 15
Fison & Co v Brabyn app of plt from judgt of Mr Justice Grantham at trial at Ipswich without a jury Feb 17
Ship Bertha (claim for loss of life) Sellstrom & ors v Bristol Steam Navgn Co app of plts from judgt of Mr Justice Butt, dated Mar 23, 1886 Feb 18 (without assessors—S O pending appl to House of Lords in Ship Bernice)
Mac Iver and ors v Mac Iver app of plt from judgt of Mr Justice A L Smith, at trial at Liverpool without a jury Feb 22
Ship Sara (claim by master) Baker v The Owners of Sara app of dfts (interveners) from judgt of Mr Justice Butt, dated Feb 14, 1887 Feb 23 (without assessors)
Jones v Jonn app of plt from judgt of Mr Justice Stephen, at trial at Cardiff without a jury Feb 23
Lishman v Christie app of plt from judgt of Mr Justice Cave, at trial at Newcastle-on-Tyne with a special jury Feb 28
The Chillington Galvanizing Co v J Batt & Co app of plts from judgt of Mr Justice A L Smith, at trial at Liverpool without a jury Mar 1
Attwells v Blows & anr app of dft Blows from judgt of Mr Justice Day, at trial in Middx without a jury Mar 8 (S O during bkcy of deft Blows
A Jones & Co, ld v Whitaker app of dft from judgt of Mr Justice Stephen, at trial in Middx without a jury Mar 10
Thornton v Baker app of plt from judgt of Mr Justice Field, at trial at Nottingham without a jury Mar 10
The Masonic and General Life Assurance Co, ld v Pike app of plt Co from judgt of Mr Justice Day, at trial without a jury Mar 11
Pearman v Burdett-Coutts app of plt from part of judgt of Mr Justice Grove, at trial as to costs Mar 15
Smith v Hobbs app of dft from order of Justices Cave and Wills on special case and judgt thereon Mar 17
James v Bishop app of deft from judgt of Mr Justice W...t at trial at Cardiff without a jury March 21
Guardians of Poor of Worcester Union v Guardians of Poor of parish of Birmingham (Q B Crown Side) app of Worcester Guardians from Justices A L Smith and Grantham affirming order of Justices on special case from Sessions March 22
Crears v Burnyeat, the younger (Exor) & anr app of plt from order of Justices Day and Wills setting aside verdict and judgt at trial—action tried by Mr Justice A L Smith at Carlisle with a jury March 23
Ro... v The Mutual Loan Fund Association, ld app of deft from judgt of Baron Pollock at trial in Middlesex March 24
Wm Lewis & ors v The Mayor, &c, of Borough of Swansea app of defts from judgt of Mr Justice Mathew at trial at Swansea without a jury March 26
Baker v McGeorge & ors app of plt from judgt of Baron Pollock at trial in Middlesex without a jury March 28

To be continued.

HIGH COURT OF JUSTICE.

CHANCERY DIVISION.

TRINITY SITTINGS, 1887.

Causes for Trial or Hearing.

(Set down to Wednesday, June 1st, inclusive.)

Motions, Petitions, and Short Causes will be taken on the usual days, as stated in the Trinity Sittings Paper.

Causes with and without Witnesses will be taken by Mr. Justice Kay on the usual Cause days in the order as they stand in the Cause Book.

Mr. Justice Chitty will take Witness Causes on the following days, viz.:—June 21, 22, 23, 28, 29, 30, July 5, 6, 7, 12, 13, 14.

Mr. Justice North will take Witness Causes on days to be named by His Lordship.

Mr. Justice Stirling will commence taking Witness Causes on Tuesday, June 14; his Lordship will sit in Chambers on every Monday during the Sittings.

Mr. Justice Kekewich will take Witness Causes every day, in the order as they stand in the Cause Book.

Adjourned Summonses will be taken as follows:—Mr. Justice Kay, on Fridays and Saturdays; Mr. Justice Chitty, with Non-Witness Actions, except Procedure Summonses, which (if any) are taken every Saturday; Mr. Justice Stirling, on Fridays and Saturdays.

N.B.—Mr. Justice North will take Adjourned Summonses as follows:—Class I., with Motions, on Fridays; Classes II. and III., in the Non-Witness List; Class IV., on Fridays and Saturdays. For description of each Class see notice issued by his Lordship's Chief Clerks, dated May 1, 1884.

Before Mr. Justice KAY.

Causes for Trial (with witnesses and without witnesses).

In re Meyrick Hartmann Gillett v Lowndes act
Eden v Weardale Iron Co, ld act wits
Ecclesiastical Commrs v Sir W Eden act wits
Russell v Davies act
Lowther v Curwen act wits
Kirby v Freeman act wits
Mason v Westoby act
In re Stuart Mansion House Chmbrs v Stuart act
Native Guano Co ld v Sewage Marine Co ld act wits
Venn v Hendriks act wits
Russell v Lamb act and m f j wits
Blair v Deakin Eden v Deakin act wits pt hd
Magnus v Queensland National Bank act, wits
Elmore v Pirrie act wits
Atkinson v Same act wits
In re Earl of Aylesford's Estate Acts Machell v Earl Poulett act
Denman v Leech act, wits
Sharp v Brown act
Sharp v McHenry act
Rowcliffe v Longford Wire Iron &c Co act wits
Harris v Newitt act wits
In re Bond Bigwood v Bond act & m f j
McDonald v Towersey act, wits
Harrison v Spitzley act wits
In re Hardbottle Hardbottle v Hardbottle act wits
In re Horwood Horwood v Paddison act
Elsman v Scholes act and m f j
In re St John St John v St John act and summs wits
Hancock v Wyatt act
Hawkes v Curtice
Owen v Roberts act
Pemberton v Goodall act & summs
Thwaite v Hill act
In re Coell Hicks v Payne act wits
Humphries v Donnithorne act wits
Thornhill v Hoyland act wits
Gower v H M Postmaster Gen special case
St Saviour's District Bd of Works v South-Eastern Ry Co act wits
In re Kippax Ackroyd v Kippax act wits
Goodall v Pemberton act and m f j wits
Wiltshire v Joyce act wits
Peach v Selby-Lowndes act
Sceptre Life Assoc v Harrison act wits
Upington v Hill act wits
Welchman v Leech act wits
Elliott v Merrill act wits
Britain v Hirsch, Pritchard, & Co act wits
Ellington v Clark, Burnett, & Co, ld act wits
Baskerville v Iron & Steel Works Assoc, ld act wits
Buckeridge v Patman act wits
In re Bethell Hayden v Lightfoot act wits
Brown v Alabaster act wits
Scovell v Robinson act wits
Spalding v Skoulding act & counter claim
Rogers v Barry Docks and Ry Co act
Stier v Stier m f j
Andrews v Barnes act wits
Judge v Tisdall act wits
Gaulard v Sir Coutts Lindsay & Co, ld act wits
Godwin v Rathbone act & m f j wits
Hatton v Russell act
Munro v Met & Met Dist Ry Co act wits
Johnson v Park act & m f j wits
Barnard v Hoare act wits
Wilks v Newman act wits
Ryder v Anders act
Hobman v Hughes act wits
Sampson v Streatham & Genl Estate Co ld act wits
Clarke v Lane m f j
In re L Harbord & Patent Designs &c Act motn
Slann v Smith act wits
In re Parker Rooke v Blandy act
Bowden v Bowyer act & m f j
Edison & Swan &c Co v Holland act
Topping v Workington & District Liberal Club ld act wits
Milward v Jackson act & m f j
Ballinger v Dunn & Duncan act wits
In re W Moss Lloyd's, Barnett's & Bosanquet's Bk v Moss act
Briant v Falkner act
Morris v Partridge act wits
McNair v Howard act
Clifford v Cliff act wits
Dukas v Dukas act
In re London Celluloid Co & Co's Acts motn
Quait v Eastwood act wits
White v Peto Bros act wits
Booker v Rollinson act wits
Hansom v Virtue act wits
Madle v Van act wits
In re Maxwell Mitchell v Maxwell act
Vickary v Mayor, &c, of Folkestone act wits
India Rubber, &c, Co v Henley's Telegraph, &c, Co act wits
Watson v Smith act wits
Tudman v Lowe act wits
Butcher v Galmoye act wits
Dyer v Wilkinson act wits
Hoare, Bart v Maggs act wits
Armstrong v Hall act wits
Born (trading, &c) v Parker Bros act wits
Curtis & Harvey v Chilworth Gunpowder Co, ld act wits
Weaver v Jones act wits
Thomas v Birchgrove Steel Co, ld act wits
Paine v Goring act wits
Evans v Blaine act wits
Cohen v Egg act wits
Gaulard v Sir Coutts Lindsay & Co act wits
Meikle v Price act
T & T Vicars v Bemis & anr act wits
Coates v Whitehead m f j (short)
Hardie v Didcot, Newbury, &c, Ry Co act

In re Bucknall's Gold Estate, ld, & Co's Acts motn set down by order
Cartwright v Clark m f j
Mundy v Parsons m f j (short)

Further Considerations.

Maraland v Hole fur con
Holmes v Fleming fur con
Fleming v Fleming fur con
In re Jopling Coppin v Maughan fur con
In re Baskerville Baskerville v Twiss fur con
In re E Knight, Knight v Gardner f c & sums
Harvey v Abbott f c
In re Cannan, Cannan v Cannan f c
Cooper v Perkins f c (short)
Martano v Mann 3rd f c

Adjourned Summonses.

In re The Guinea Coast Gold Mining
In re Turner, Broynton v Tidy
Smyth v North Brazilian Sugar, &c, Co, ld, Campion v Same Co
In re Good's Trust, Selmes v Good
In re Edwards, Jones v Edwards
In re Bradley, Oldershaw v Governesses' Benevolent Institution pt hd
In re Crown, Parfitt v Olney
In re Geo Castle, Gent, &c, to vary Taxing Master's certificate
In re Jane Fogg, Earle v Earle
Briant v Faulkner
Ballinger v Dunn & Duncan
In re Whistler and V & P Act, 1874
In re Gibson, Lloyd v Gibson
Marr v Smyth
In re West, West v Greenhill
In re Bridge, Franks v Worth
In re Viant, Viant v Viant

Before Mr. Justice CHITTY.
Causes for Trial (with witnesses)

Baroness Wenlock v Ryder set (transferred from Q B Div)
Askew v Browne set
Brough v Dando set
Collison v Hingston set
In re Witherden, dec Bedford v Witherden set
Grummant v Robbins set & m f j
Belfrage v Lindsay set
Kelly v Kelly set
Wood v Harris set
Ehrlich v Ihlee & anr set
Whitaker v Jeakes set
Mellor v Thomson set (in camera)
In re G Morrison, dec Morrison v Morrison issue
Sharp v Gooddy, Cripps & Sons, ld set
Attorney-Gen v Anderson Anderson v Hawkins claim and counter claim
A G Kurtz & Co v Peter & Spence Sons m f j (treated as action for trial, by order)
Johnstone v Newfoundland Guano Co ld set
Gardner v Titley set
In re Hughes, dec Vibart v Vibart adj sum with wits by order
In re Oriental Bank adjourned sum of Wm Simpson, a creditor, with wits by order
In re C Dash, dec Darley v King set and sums in King v Darley under ord 55 by order
Hammersley v Hammersley set
Atkinson on behalf &c v De Jeanson Hugelman on behalf &c v Atkinson claim and counter claim with sumns
In re Honduras Inter-Oceanic Ry Co (petn) by order
Hards v Bragg set
Smith v Taverner set
Brinton v Howlett Glading v Brinton claim & counter claim
Oakley & Son v Dalton set
Union Bank of London, ld v Munster set
Sanguinetti v Gant set
Cave v Harris set
Cory v Roach set
Cane v Hind set
Poole v Pickering set
Coote v Ingram set
In re Ayres, &c Wright v Ayres set
Wickham v Greenway set
Wickham v Sanderman set
Harvey v Corpe & Dando set
Nicholo v Royal Aquarium, &c, Soc, ld set
In re Brown, dec Brown v Brown set
Winn v Aldred set
Greenway v Sharp set
In re W. T. Clark, dec Mote v Clark adj sumns with witns by order
Stuart v Wright set
Andrade v Arbib set
Hawkins v Barrow set
Raffolovich & Co v Imperial Bank, ld set & m f j
In re I. Maggs, dec Maggs v Knee set
Callow v Young motn with witns by order
Weaver v Sanitary Engineering and Ventilator Co set
Weaver v Jas Stiff & Sons set
In re Chas Kearsley, dec Knaresborough & Clare Bkg Co v Kearsley set
Warburg v Harris set
Ingram v Clarke set
Powell, exor v Davies set
Prior v Edwards set & m f j Cambridge D. R.
Craven Bank, ld v Preston set
Sharp v Wilmot set
Douglas v Jones set
E Blakey & Sons v Latham & Co set
E Blakey & Sons v Lee set
E Blakey & Sons v Hall set
E Blakey & Sons v Cooke set
E Blakey & Sons v Tupholme set
E Blakey & Sons v Hargrave set
Mansford v Bell set
Yates v Watkins set
Sampson v Ellis set
Bullock v Horsford set (transferred from Q B Div)
Alder v Thompson set
Clift & ors v Foster set
In re T Seymour, dec Seymour v Seymour set
Baker v Jeffries set
Stentefford v Godfray set
Richards v Walker set
Pickford v Brodrick set
Marks v Anglo-Montana Mining Co set
Goold v Birmingham, Dudley & District Banking Co set
Cullerne v Deane set
Brown v Bird set
Thorne v Thorne set
In re Hudleston, dec Ackland v Gatey set
In re Best, dec Best v Best set
Pead v Briggs set

Non-witness Causes, Adjourned Summonses and Special Cases.

Penon v Cutfield m f j
In re Hollingbourne Paper Co ld (Harbour's claim) adj sums
Sharpe v Torkington Torkington v Sharpe m f j (S O June 20)
Westerman v Bury & Tottington District Ry Co set
Justice v Fooks set Fooks v Burton adjd sumns (S O July 7)
In re Archer-Burton's Settlement Trust Pemberton v Archer-Burton adj sums to confirm compromise part heard
Union Bank of London, ld v Kent set
In re F Adlard, dec Barker v Aycough set
In re Gambling—Phelp's Settlement Trusts Phelps v Lumley adj sums
In re Hughes—Garbett & Falkner's Contract & V & P Act, 1874 adj sumns
In re Midland Land & Investment Corpn, ld (1) adj sums of Baker, present liquidator (2) adj sums of Bolton & anr, retired liquidators (3) adj sums of Bolton
In re John McDonald, dec Hickson v Bushell adj sum
In re John Durie, dec Wetherall v Ormerod set
In re De la Hunt & Pennington's Contract & V & P Act, 1874 adj sum
In re Mawddach Gold Mining Co, ld & Co's Acts adj sum
In re Bridewell Hospital & Met Bd of Works (purchase) adj sums (taxation)
Clarke v Thornton adj sum
Warwick v Warwick set
St Barbe v Burrard set
Nesbitt v Manning m f j
In re W Easton, a Solor (taxation) adj sum
In re Murrell Brown's Estate Claxton v Cunningham adj sum
Andrew v Hudleston (construction) adj sum
In re H Prater's Estate Desinge v Beare adj sum
In re London & County Investment Corpn (Dr Warburton's claim) adj sum
In re Thos Hoyland's Trusts Hoyland v Hoyland S L Act adj sum
In re T W Whelpton's Will Whelpton v Whelpton (construction) adj sum
Gee v Liddell adj sum
In re C Turner's Estate Tatam v Kenny (construction) adj sums
In re Glona Sulphur Co, ld (Liquidator's Rems) adj sum
In re Newbegin's Estate Eggleton v Newbegin adj sum
In re D P Pellatt's Estate Pellatt v Bradley adj sum
In re Elizth Clark's Estate Burton v Tod Phipps v Tod (construction) adj sum
In re Jas Ley, dec Hugman v Ley adj sum
In re Jones, dec Daniel v Daniel adj sum
Levy v The Abercorris Slate and Slab Co ld m f j
Ashenden v Jones set
Tyler v Bank of England set
Perrin v Perrin m f j
In re T C Clarke's Estate Bantoft v Aylward (construction) adj sums
In re G Wood's Estate Short v Wood (gift or loan) adj sums
In re Lister's Estate Davies v Lister (taxation) adj sums
In re Galland, dec Lidiard v Galland (Order 55) adj sums
In re Lord De Tabley's Settlement (construction) adj sums
In re Joseph Wilson's Estate Wilson v Wilson adj sums
In re Oriental Bank Ex pte Official Liquidator adj sums
Sutton v Town adj sums
Ward v Royal Exchange Shipping Co adj sums
In re Mary Wilde's Estate Wilde v Salt adj sums
Lawson v Quare set
In re Plymouth Working Men's Equitable Loan Soc adj sums
In re Thornhill's Estate Thornhill v Nixon adj sums
In re Jas Walker's Estate Richard Walker v Archer adj sums
In re Jas Walker's Estate John Walker v Archer adj sums
Rock v Pursell adj sums
Wallis to Concannen & V & P. Act adj sums
Parkinson v Downing set
Kennedy v Ortelli set 1887—K—153
Kennedy v Ortelli set 1886—K—1011
Mawer v Harston Jenkins v Newbold con acts
Read v Gowland adj sums (1)
Read v Gowland adj sums (2)
In re C G J Silva's Estate Shepherd v Royal Medical College In re Le Geyt, infants adj sums
Matthews v O'Dowd adj sums (1)
Matthews v O'Dowd adj sums (2)
Lewis v Ramsdale adj sums
In re Civil Service & General Store ld Ex parte Sales, Pollard & Co adj sums
In re McMinn, dec, Hill v Buckley adj sums
In re Jacob Hodgson's Estate, Abbott v Hodgson adj sums
In re Thomas Hollinshead's Estate, Hollinshead v Webster adj sums
Newbould v Dodworth m f j (short)
In re C V Turner's Estate, Crosshull v Fitzhugh adj sums
In re Brown's Hospital and Charitable Trusts Acts adj sums
Horlock v Wiggins set
Broad v Rogers adj sums & sums to vary
Lyons v Hosegood set
Cadogan v Bland (2) adj sums
In re Harding's Settlement & S L Act adj sums

Further Considerations.

In re J Skitt, dec, Skitt v Skitt f c
Howell v Watkins f c (short)
Inkersole v Inkersole f c
In re S Birdsey, dec, Lacey v Birdsey f c adj from chmbrs
Ormerod v Rostron f c (restored)
In re J Wicks, dec'd, Wicks v Wicks, Wicks v Shepherd f c (restored)
In re Lister, dec, Davies v Lister f c restored after reference of certificate
Edmonds v Blaina Furnaces Co
Beasley v Blaina Furnaces Co f c

Before Mr. Justice NORTH.
Causes for Trial (with witnesses).

In re T W Cobb Harrison v Cobb set
Cobb v Harrison set
Barber v Helliwell set
Ruthven v Ruthven set
Pressley v Hodgson set
Morley v Lythall set
Brown v Clark set
Short v London & Westminster Bk ld set
Russell v Norton set
Drage v Sir W C Hart pp set
Helliwell v Barker set
Bruvet v Burlet set
Lands Allotment Co ld v London & Tilbury Ry Co set
Finnis v Wilks set
In re Bennett Knapp v Bennett set
In re Knapp Bennett v Knapp set
Horner v Sullins set & m f j
Pashley v Chapman issue for trial
Bateman v Poplar Dist Bd of Works set
Price v Simmons interpleader issue
Jenkins v Thomas set
Malcolm v Trustees of Rose Cresswell, bankrupt set
R. James v The Queen set
In re Gaulard & Gibbs' Patent petn
Albo Carbon Light Co, ld v J Kidd & Co 1886 A 859 set
Same v J. Kidd & Co 1886 A 1,729 set
Morrice v Lee set
Cleaver v Bacon set & m f j
Forster v Cliffen Cliffen v Forster set
Goswell v Bishop set
Frapwell v Dennis set
Muskett v Poole set
Woodgate v Walker set
Brodbeck v Strickland set
Alexander v Smith set
Myatt v Evelyn set
Wier v Lausard set
Crookes v Rae set & m f j
Glanville v Heather set
Siddell v Vickers, Son & Co set
Waring v Scotland set
In re Ormond Drury v Ormond set
Davies v Davies set
Shufflebotham v Bevington set
Schadler v Atkins set
Stanford v Hassall set
Furber v Best set
Best v Furber set
In re Shortridge Salmon v Wallis set & m f j
In re Ellis Jones Jones v Evans set
Crampton v Swete & Main set
Cordingly v Alliance Soc set
Dovaston v Lloyd set
Stockton & Middlesborough Water Bd v Tee Bridge Iron Co, ld set
In re Lister Hill v Tate set
Capel & Co v Sims' Ship Compositions Co, ld set
Woolf v Stafford set
Lockyer v Lush set
In re Crossley Fenton v Rimmington set
Bodger v Lewis set
Salaman v Ingle set
Wright v Shrubb set
Charsley v. Crake set
Lane v Tarbatt set
Dyson v Scott set
Smith v Brentnall set
Winfield v Crompton set
Baxter v Lewis set
Buchan v Artlett set
Johnson v Johnson set & m f j
Germains v Macleod set
E Blakey & Sons v Shaw set

Adams v Sweeting act
Newton v Hillman act
Beddoes v Piercey act
Stevenson v Hews act
In re Holmes Holmes v Holmes act
Galling v Cooper act
Hall v Peebles act
Ball v Plater act
West London Ry Co v Ungar act
Ross v Emerson act
Haberdashers' Co v Low act & m f j
Haberdashers' Co v Westerly m f j
In re Clarke's Trade Mark motn cross examined by order
Fielding v Barnard act
Mayor, &c, of Florence v Baker act
Williamson v Clark act & m f j
Pearce v Curtice act
Moffatt v Peace act
Baines v Riley act
Wager v Belgrave act
Ward v Rudsforth act

Causes for Trial (without witnesses) and Adjourned Summonses (Classes II. and III.)

Carnochan v Ireland act
In re Crawford Myers v Crawford adj sums
King v Chamberlayne act
In re Marshall Phillips v Marshall adj summs
In re Cobb Frost v Cobb adj sums
In re Elives Foulkes v Elives adj sums
Lucas v Martin act
Gould v Crawshay act
In re Barwick Corner v Stahl act
In re Hulton Lister v Hulton adj summs
In re Jones Russell v Jones adj sums
In re Hoare Hoare v King adj sums
Imbert Terry v Carver act
In re Wilson Chapman v Chick adj sums
In re Mackay Booth v Wright adj sums
In re Kurtz Layton v Kurtz adj sums
In re Bennett Chessman v Marsh adj sums
Chalk, Webb, & Co v Tennant act
In re Craven Craven v Taylor adj sums
In re J Mass Mass v Mass adj sums
In re Vernon Vernon v Vernon adj sums
In re Ellis Jones Jones v Evans adj sums
In re Kerrison Palmer v Pye adj sums
In re J E Williams Jones v Williams adj sumos
In re Bell Strickland v Nat Benevolent Institution adj sums
In re Hayward Hayward v Hayward adj sums
In re Bethune Wood v Fraser adj sums
In re Lightfoot Baines v Brooker adj sums
In re W Sharp Sharp v Sharp act
In re Worsley Worsley v Woolley act
Neave v Pyelinen act & m f j
In re Gotobed Winslow v Bawcombe adj sums
In re T Hulme Hulme v Hulme adj sums
Creed v Dixon & Co act
Savile v Couper adj sums
In re Jas Bowley's Estate Bowley v Bowley adj sums
In re Natt Walker v Gamage adj sums
Blundell v De Falbe act
In re Vickers Vickers v Vickers adj sums
In re Southerton Wright v Everall adj sums
In re J Baker Johnson v Baker adj sums
In re Bottesworth, Bottesworth v Richer adj sums
In re Haigh, Stephens v Lochmere adj sums
In re Houghton, Mortimer v Caird adj sums
In re F Allen & Sons & T M Acts adj sums
In re Treffry, Treffry v Treffry adj sums
In re Griffin, Buckell v Smith adj sums
In re J Barratt's Will adj sums
Rickaby v Rickaby act

In re Holbech, Markham v Holbech adj sums
Wells v Holton m f j
In re La Fargue, Heath v Hinder adj sums
In re Nelson, Lane v Holland adj sums
In re Holt, Riches v Jones adj sums
In re Nelson, Brett v Nelson adj sums
In re Vicat Robinson v Vicat adj sums
In re Malet Malet v Malet adj sums
Jackson v Locke adj sums
In re Shore Chaffey v Shore act
In re Hay Hay v Neville adj sums
Booth v Shaw act
In re Hatton Robson v Pennington adj sums
In re Spooner Spooner v Spooner adj sums
In re Mills Heron v Heron question of law
In re Budd Cutler v How adj sums
In re Budd Cutler v How adj sums
In re Roberts Morris v Lewis adj sums
In re Hutchinson Jones v Perkins adj sums
In re Edis & Brown & V & P Act, 1874 adj sums
In re Hunt Gowing v Gillham adj sums
In re Phillips Phillips v Allen adj sums
In re Grant Grant v Beddel adj sums
Thomas v Thomas act
In re Hornby Ware v Hornby adj sums
In re Lee Lee v Lee adj sums
In re Brown Barber v Pacy adj sums
In re Severne Severne v Chichester adj sums
In re Hitchcock Kirk v Hitchcock adj sums
In re Hitchcock Kirk v Hitchcock adj sums
Oborne v Mann act
London Steam Dyeing Co v Digby m f j
In re W Farr Wingrove v Wigg adj sums
In re Davies Davies v Davies adj sums
In re T W Orwin Orwin v Orwin adj sums
In re Tait, dec President, &c., of St George's Hospital v Battersby adj sums
In re Lord Gerard Oliphant v Gerard adj sums

Further considerations.

In re Thorpe Vipont v Radcliffe f c
In re J Wardle, dec Wardle v Wardle f c
In re Hives Coney v Hives f c
In re Daly Daly v Daly f c
In re Richards Shenstone v Brook f c & 3 adj sums
Ashworth v Lord f c
Winby v Cardiff District & Penarth Harbour Tram Co. f c & mtn by ord dated June 5, 1883
In re Lodge Stevenson v Lodge f c
In re Oldrey Oldrey v Coles f c
Doucet v Geoghegan f c & sms
In re Watson Carlton v Carlton f c
In re Gardner Gardner v Gardner f c & petn
In re Ralfe Ralfe v Scotney f c
In re Hobbs Hobbs v Wade f c
In re Williams Perin v Williams f c
In re Lawes Coles v Coles f c
In re Wilcock Lynch v Sarginson f c
In re Tadman Simpson v Mould f c
In re Oxenham Ford v Oxenham f c pt hd
In re Jordan Kins v Picard (3rd) f c & sms
Strick v Swansea Tin Plate Co f c
In re Weeks, Withers v Weeks 2nd f c
Lemmon v Grylls f c (short)

Adjourned Summonses. (Class IV.)

In re A & P Beyfus, Solicitors, &c
In re Joseph Davis's Charity, &c
In re Stevens Stevens v Kelly
In re Stevens Stevens v Kelly
In re T. Anns Anns v Clarke Gauntlett v Clark
In re R. N. Cunningham & Co ld & Co's Acts
In re Gregson Christison v Bolam
In re Godsell & Bryett & V & P Act, 1874
In re Gent Davis v Harris
In re J Collings's Settlement & S L Act
In re Imperial Land Co of Marseilles & Co's Acts, 1862 & 1867
In re W Eley, one, &c (taxn)
In re J J Faulkner, one, &c (taxn)
In re E P Montagu Montagu v Hobson
In re Commercial Bank of South Australia & Co's Acts
In re Wyatt Wyatt v Phear
In re Taylor Jones v Taylor
In re Association of Land Financiers ld & Co's Acts
In re Bowes Strathmore v Vane
In re Docksey Docksey v Webb
In re Sebright, Bart, and Settled Land Act
In re Hermann Loog, ld, & Co's Acts
In re Jackson & Woodburne & V & P Act
Sydney, &c, Co v Bird
In re Johnson Weatherall (taxn)
Easton v London Joint Stock Bk Co

Before Mr. Justice STIRLING.
Causes for Trial (with Witnesses).

Bacon v Camphausen act
Leeds Estates Building &c Co v Shepherd act
Sheppard v Gilmore act
Reynolds v Seeley Seeley v Reynolds act
Grimmer v Chapman Hewetson v Grimmer act
Biggs v Hard act
Foulkes v Jeffryes act
Lumley v Haines act
In re Gray, McMillan v Gray act
Lound v Grimwade issue for trial
Mills v Fox act
Jones v Gehrke act
Lee v Neuchatel Asphalte Co, ld act
Wallen v Dickinson act
Cole v Stead act
Pollard v Catt act
Sonnenschein v Barnard and anr act
Brooking v Maudslay, Sons & Field act
Croslegh v Dando act
Roots v Williamson act
MacIver v MacIver act
Elwyn v Baldock act
In re Paine Paine v Paine act
Birmingham, &c, Banking Co v Rees act
Taylor v Salmon act
Eves v Eves act
Sanitas Co v Condy (trading, &c)
Insole v Mayor, &c, of Cardiff act
Brooks & Co v Powell, Foley & Co act
Hastings v Lintott act
Henderson v Gas Appliances Co, ld act
Moore v Tylee act
Maybury v Williams act
Stevens v Davies act
Stratt v Samworth act
London, Edinburgh, &c, Assce Co, ld v Horne act
O'Brien v Mansell act
Morewood v Smith act
Brodrick v Blackwood & Co act
Smith v Gremfell act
Share v Parkes act
Flick v Haggard act
Bancroft v Foster act
Bancroft v Baker act
Morewood & Co, ld v Dunn act
In re S England Burns v Pavey act
In re S England Burns v Pavey question of law
Hancock v Moore Moore v Hancock act
Peden v Talpuit act
In re J Miller Miller v Leach act & m f j
Cox v Pardon & Sons act & m f j
Knaresborough, &c, Building Co v Lechmere act
Stedman v Williams act
Boston Deep Sea Fishing Co v Hansell act
Anglo-American Brush Co v Edison & Swan &c Co act
Anglo-American Brush Co v Edison & Swan &c Co act
Hesketh v Holland act
In re Infield Infield v Martin act & third party notice
Wheatley v Freeman act
Kerr v Richardson act
In re Rothwell's Patent, &c Petn (wits list by order)
Jonsson v Duffield act
Crosti v Ferreira act
Crosti v Ferreira act
Tarn v Turner act
Mills & Son v Farmer act
Bell v Central Transvaal Gold, &c., Co act
Dutton v Carpenter act
Early v Rathbone act
Miller v Tupp act
Nothersole v Dawes act m f j
Walker, Bart v Hull, &c., Ry & Dock Co act
Pocklington v Ingamells act
Badham v Bird act
Rollitt v London Assurance act
Forster v Myers act
Wynne v Mason act
Mobbs & Lewis v Wright act
Cannot v Oppenheim act
Burkitt v Smith act
Solomon v Ehrmann Bros act
Whitechurch v Bacon act
Holt v Hill act
Goodspeed v Robinson act
Goodspeed v Robinson act
In re J Allinson Hall v Bros act
Jones v Radnor act
Chester v Chester act
Dooly v Watson act
Jackson v Cramp act

Causes for Trial (without witnesses).

In re Meynell Holmes v Meynell issue of fact
McIver v Hill act
Sheldon v Bayley m f j and mtn
In re Taylor Hughes v Bewley act
Ashton v Chenery act
Hop Bitters Co v Beck act
Knowles v Knowles sp c
Thomson v Lond Assce act and m f j (short)
In re Hembrow Watson v Watson m f j (short)
Freeman v Hull, Barnsley, &c Ry & D Co act
Lloyd v Girling m f j (short)

Further considerations.

In re Wood Wood v Wood fur con & two sums
In re Grove Vaucher v Stephenson fur con
Solomon v Solomon 2nd fur con
In re Denton Bunting v Denton fur con
In re Partington Partington v Allen fur con

Adjourned Summonses.

Bailey v Bailey
In re Stewart, Colville v Hammond
In re Thompson, Stevens v Thompson
In re Sidney Collard, Withall v Neame pt hd
In re Piner Bowland v Parr
In re Murray's Estate Ex parte Jane Headley
In re Pugh Banting v Pugh
In re Tanner Gardiner v Frost
In re Cresswell Daniel v Cresswell
In re Coulson Cook v Coulson
In re Golding's Trusts Crossley v Burrows
In re Vallance Vallance v Blagden
In re Fryer Ellis v Fryer
In re Sills Sills v Sills
In re Sills Seal v Sills
Ayres v Ry & Electric Appliances, &c, Co
Robins v Robins
In re Cridland & L C Act
In re Peache Shepherd v Thorpe
In re Wilton & Sons, Solicitors (taxn)
Cowper v Harmer
In re Bean's Estate Bean v Bean
Prior v Bagster
In re Whitehouse Whitehouse v Edwards
Dew v Parker
Dew v Parker
In re A W Hall & Co & Co's Acts
In re De la Rue Cumming v Marshall
In re Wilkinson Waddington v Waddington
In re Corselis Lawton v Elwes
Battye v Caul

Battye v Cail
In re Coney to Wilson & V & P Act
In re Simpson Blanford v Simpson
In re Hall Bosworth v Hall
Rawlinson v Rawlinson
In re M Smith v E J Smith Smith v Smith
In re Farrer & Needham &c & V & P Act, 1874
In re Picken Welman v Ryder
Bidder v Brydges
In re Walker & Hacking, ld & Co's Acts
In re Whitehead Holdsworth v Whitehead
In re Haley Evans v Haley
In re North Staffs Working Man's &c Building Soc
In re Wilkins Emsley v Wilkins
In re Wilkins Emsley v Wilkins
Hop Bitters Co, ld v Lorrimer
In re Metcalfe Metcalfe v Blencowe
In re United Security Soc, ld, & Co's Acts
Craven v Ingham
Craven v Ingham
In re Whitfield to Evans & V & P Act, 1874
In re Hastie Hastie v Murray
In re Nichols, Thorn, Luck, & anr & V & P Act, 1874
In re Taunton Simmonds v Simmonds
In re Briton Medical, &c, Assoc, ld & Co's Acts (June 8)
In re Pattinson Knott v Pattinson
In re Pattinson Halstead v Pattinson
In re Borner Eggleston v Horner
In re Partington Partington v Allen (3 summs)
In re Lord H Paulet Marquis of Winchester v Godden
In re Corsellis Lawton v Elwes

Before Mr. Justice KEKEWICH.
Causes for Trial (with witnesses).

Williams & ors v Colonial Bank act
Williams v Lon Chartered Bank of Australia act
Webb v St John's Gas Co act
In re Evan Jones Jones v Williams act
Lewis v Baskerville act (Mich Sittings)

Transferred from Justices CHITTY, NORTH, & STIRLING, for Trial or Hearing only—by Order, dated Nov 24, 1886
Attorney-Gen v Met Ry Co act
Nash v Hayward act
Midland Ry Co v Micklethwait act
James v Pearless & Son act

Transferred from Justices NORTH, CHITTY, and STIRLING, for trial or hearing only—by Order, dated 22nd January, 1887.
Wells v Hammer act
Evans v Manchester, Sheffield, &c, Ry Co
Gurney v Winchester House Co, ld act
In re Whitehead In re Reed Whitehead v Tracy
Walker v West Riding Union Bkg Co act & counter-claim
Parker v Bingham
Gt Western Forest of Dean, &c, Co v Trafalgar Colliery Co, ld act
Daniel v McMillan act
Collins v Castle act (June 7)
Hobbs v Wayet act
Alexander v London Founders' Assoc, ld act
Williams v Neath Canal Navigation Proprietors act & counter claim
Wearing v Purkiss act
The Wenham Co, ld v May & Co act
London Tavern Co, ld v Worley act

Transferred from Justices CHITTY, NORTH, and STIRLING, for Trial or Hearing only—by Order, dated 24 March, 1887.
Freke v Houseman act
Bray v Gardner act
Morgan & Co ld v E J Windover & Co ld act
Eady v Eady act
Gardener v Vicat & ors act
Chatteris v Isaacson act
Stobbs v Kelsey act
Fisher v Holland act
Ede v Watson act
Russell v Geere act
Elliott v Steel act
Cooke, Sons, & Co v New River Co
In re Rust Bull v Rust
Sahler v Fuchs act
Ferris, Townsend, & Co v Weston act
In re Trueman, Bradley v Turnbull—1886—T—521 act
In re Trueman, Bradley v Turnbull—1886—T—522 act
Caswell v Hunton act
In re Moone, Moone v Moone act
Rowe v School Bd for London act June 5
Ellis v Workman act
Nicholls v Kimpton act
American Braided Wire Co v Thomson & Co act
Foster v Holland act
Birmingham, &c, Daw Co, ld v L & N W Ry Co act
Tennant, W, v Ld Claude Hamilton act
Woolfe v Monacott act
Earl of Darnley v L C & D Ry Co act
The School Bd for London v Blum act
Bushby v Steel act
In re Childe Harold Head Head v Head act
Elborough v Jester act
Young v Berriman act
Patents Invests Co ld v Crompton act
Apollinaris Co ld v Apollo Water Co ld act
Foster v Wheeler act
In re C Moreton orwise Coppen Moreton v Coppen act
Clay v Brachen act
Earl Sydney v Lowe act
Lovejoy v Downes act
Robertson v Sankey act
Baroness Wenlock v River Dee Co ld act
Duck v Hough act
Sun Permanent &c Soc v Lake act
Phillips v Phillips act
Hawkins v King act
Pickford v Pickford act
Mudd v Latter act
Taylor v Faulkner act
Gas Light &c Co v South Met Gas Co act
In re McQuinn Hill v Buckley act
Higgins v Maver act & Counter claim
Franks v Vert act
Baxter v Harfield & Co act
Parsons v Saffory act
Haynes v Leach Leach v Haynes act & m f j

QUEEN'S BENCH DIVISION.

TRINITY SITTINGS, 1887.

New Trial Paper.
For Argument.
1886.

Set down 19th March Middlesex Bryce v Rasden Sir J Gorst Baron Huddleston
Set down 18th June Middlesex Caruncho v Berndes Mr French Justice Field
Set down 22rd November Manchester Almond & Co v Kelly & ors Mr H Collins Justice Day
Set down 14th December Middlesex Potter v Lotts Mr Wallace Justice Day
Set down 17th December Middlesex Callaghan v Frith Mr Bucknill Justice Day
Set down 20th December Middlesex Gloucestershire Bkg Co, ld v Edwards, exor, &c Mr Rosanquet L C J of England
Set down 22nd December Middlesex Cambefort & Co v Chapman Mr Willis Justice Mathew
Set down 23rd December Middlesex Balding & anr v Tuppen & anr Mr Crompton Justice Mathew
Set down 24th December Middlesex Ditton v Stuart & anr Mr Bonsey Justice Grove
Set down 28th December Middlesex Berridge v Laws & ors Mr Lane for deft Hough Justice Mathew

1887.

Set down 3rd January Middlesex Cooper, McCarnie & Co & anr v Richards & Co Mr R T Reed Justice Mathew
Set down 4th January Middlesex Gurlitt v Grissell Mr Woolf Justice Field
Set down 8th January Middlesex Wilson & anr v Smith & ors Mr Willis for dft Raynor Justice Grove
Set down 11th January Middlesex Clay v Midland Counties Insce Co Mr Willis Justice Grove
Set down 14th January Middlesex Leyson v Morgan Mr Winch Justice Day
Set down 24th January Middlesex Rowney v Eagles Mr Moyses Justice A L Smith
Set down 24th January Middlesex Farley v Louis Mr Crisps Justice A L Smith
Set down 26th January Newcastle-upon-Tyne Finlay v Chirney & anr Mr J L Walton Justice Cave
Set down 29th January Middlesex Havard v Williams Mr B F Williams Baron Pollock
Set down 2nd February Worcester Thompson v Heming, Thompson & anr v Heming Mr Darling Justice Manisty
Set down 2nd February Middlesex Lever v Bayley Mr Pope Justice Grove
Set down 4th February Middlesex Silverton v Finch & anr Mr Dickens Justice Grove
Set down 4th February Middlesex Lever v Walker Mr Cock Justice Grove
Set down 7th February Manchester Pickering v N Eastern Ry Co Mr Gully Justice Hawkins
Set down 10th February Manchester Brown & Co v Bamber Mr Gully Justice Hawkins
Set down 10th February Official Referee's Report Patterson & Co v West & Co Mr Firth E Ridley, Esq
Set down 10th February Durham Stephens v Harris & Co Mr Forbes Justice Cave Motion for judgment to be argued with this motion
Set down 14th February Exeter Hollett v Hall & anr Hon B Coleridge Justice Denman
Set down 16th February Middlesex Field v Walker & anr Mr Cock for pltff Justice Grove
Set down 18th February Manchester Kastenberg Bros v Pitman & ors Mr Ambrose Justice Hawkins
Set down 18th February Manchester Same v Empire Fire Insce Assoc, ld Mr Ambrose Justice Hawkins
Set down 18th February Middlesex Anley v N Metropolitan Trams Co Mr A Cross Baron Pollock
Set down 21st February Cardiff Central Graving Dock & Engineering Co, ld v Walker Mr McIntyre Justice Stephen
Set down 22nd February Manchester Fairclough v Lancashire & Yorkshire Ry Co Mr Bigham Justice A L Smith
Set down 23rd February Middlesex Crew, Widgery & Co v G W Steamship Co ld Mr Finlay Justice A L Smith
Set down 24th February Beaumaris Thomas v Owen Mr Higgins Justice Stephen
Set down 24th February Middlesex Field v Walker & anr Mr C L Smith (for deft) Justice Grove
Set down 25th February Cardiff Evans v Rhymney Local Board Mr McIntyre Justice Stephen
Set down 26th February Liverpool Marquis Briscoe & Co v Embrey Mr Kennedy Justice A L Smith
Set down 2nd March Middlesex Atkinson v Com Bk of Scotland, ld & anr Mr Candy Justice Wills

SPECIAL PAPER.
For Argument.
1886.

Set down 19th June Due 29th June W Beck Bethell & Co v T & C Clark & Co & ors Special case before two judges
Set down 11th August Due 29th October R R Nelson In re Petition of Right G W Ry Co v The Queen Special case before two judges
Set down 29th October Due 5th November Williamson, H & Co Holliday & ors v Mayor &c of Wakefield Special case before two judges (S O for a day to be fixed by court on application of Attorney General)
Set down 3rd November Due 9th November Burn & G Hornby v Silvester & ors Special case before two judges
Set down 6th November Due 12th November Chester & Co Brunner v Bury Special case
Set down 16th December Due 21st January, 1887 Carter & Bell Stoneham v Ocean Ry & Gen Accident Assce Co ld Points of law
Set down 23rd December Due 21st January, 1887 Kingsford & Co Darenth Valley Main Sewerage Board v Guardians of the Poor of Dartford Union Special case before two judges
Set down 28th December Due 21st January, 1887 E Clarke Foat v Mayor &c of Margate Special case

1887.

Set down 4th January Due 21st January Clarke & Co Lancs & Yorks Ry Co v Andrew Knowles & Sons, ld, & ors Special case before two judges
Set down 31st January Due 8th February Gregory & Co British Medical, &c, Assoc, ld, & anr v Tully & ors Special case before two judges
Set down 3rd February Due 11th February Maples & Co Hawdon v Nixey & anr Special case before two judges
Set down 15th February Due 22nd February Ridsdale & Son Alison v Hall Special case before two judges
Set down 21st February Due 1st March Wedlake, L & W Ongley & ors v Local Board of Health for the District of Chatham Special case before two judges
Set down 9th March Due 18th March Bell & Co Colling v Highway Board of Longbourgh East District & others Special case before two judges
Set down 11th March Due 18th March Sutton & O. Preston v Cleveland Extension Mineral Ry Co Cleveland Extension Mineral Ry Co v Preston Special case before two judges

Set down 15th March Due 22nd March Nicholson & G. Municipal Elections Act, 1882 Bridport Election Petition Hounsell & ors, Petners v Suttill & ors, Respts Special case before two judges
Set down 19th March Due 29th March Dubois, R & W Johnson v Midland Constitutional Newspaper Co ld Points of law
et down 6th April Due 26th April Waltons & Co Bristol Steam Navigation Co ld v Indemnity Mutual Marine Insce Co Points of law
Set down 3rd May Due 10th May Marsden & Son Vestry of St Giles, Camberwell v Board of Works for the Greenwich District Special case before two judges
Set down 27th May Due 14th June E. Andrew Mayor, &c., of Bury v Lancashire & Yorkshire Ry Co Special case before two judges

OPPOSED MOTIONS.

For Judgment.

English Bank of the River Plate, ld v The Merchant's Bkg Co of London, ld (heard before the L C J of England & Mr Justice Grove)

For Argument.

Stephens v Harris & Co motion for judgt to be argued with motion for new trial No 27
Duncan & Co v Hutton motion for judgt to be argued with motion for new trial No 86
Lawrance v Bertie (commonly called Lord Norreys) & anr part heard before the Lord Chief Justice of England and Mr Justice Day, Jan 17, 1887
Same v Same
Wertheimer v Millbank
American Braided Wire Co v Thomson & Co part heard March 11, 1887, before Justices Day & Wills
Jackson v General Stock Exchange Co, ld
Shaw v Taylor s o June 10
Taylor v Egan
Moo-brugger v Droitwich Salt Co, ld
Blum v McKellen s o till No 19 is reached
Crew & anr v Cumming & anr (see No 46)
Hartmont v Dorsey
Baird v Levy
Lewis Merthyr Navigation Colliery Co, ld, v Jones
Bishop v Goulding & anr
Lanfear v Hanbury (see No 43)
Wallis & anr v Lyon
Blum v McKellen (see No 11)
Stokes v Stokes
Milliscb v Lloyds
Weldon v De Bathe
Macoolia v Jones
In re E T Smith, Gent, &c, Expte Girvan
Donoughmore & ors v Wood
Walters & ors v Lewis & ors
Foreman v Garrett
Vadala & Co v Lawes
Marshall v Goodall & anr
Greenbank v Dalla Volta
Inman v Waldman
W Coulson & Sons v J Coulson & Co
In re a Solicitor Expte Incorporated Law Soc
Weldon v De Bathe
Apperley v North
East v Robison & anr
Wenman v Erwin
Jones v Sheard
Powell & anr v Marine & General Land, Building & Investment Co, ld
Jones v Daniel Owen & Co, ld, & anr
Hastie & anr v Lord Wallscourt
Cooper v Blackmore & ors
Lanfear v Hanbury to be argued with No 17
Pedley & anr v Robinson and ors
Hedger & anr v Robinson
Crew & anr v Cumming & anr to be argued with No 12
English & anr v Klenoke
Gresham Advance & Discount Co v Crosse (Army & Navy House Furnishing Co ld cits)
Carter & Co v Burton, Imbery, & Co
Eden v Hamlyn & Co
Star & anr v Banwell
Smith v Dixon
Cooper v Bebro
In re a Solicitor Ex parte Roberts
Rogers & Son v Whiteley
Phillips v Bellairs & anr
Heathcote v Livesley (Livesley, clmt)
Pratt v Breckmann
Brown & anr v Roust & anr
In re a Solicitor Ex parte Potter & anr
Terry v Nix
Weldon v Weldon & anr
Duplessy v Bebro
Feilden v Nicholson (J L Feilden, clmt)
Scovell & anr v Bevan
Gardyne v Corbin & ors
Robinson v Tomkins
MacDellan & Co v Frampes & Co

(To be continued.)

WINDING UP NOTICES.

London Gazette.—FRIDAY, June 3.

JOINT STOCK COMPANIES.

LIMITED IN CHANCERY.

CONTRACTORS' AGENCY, LIMITED.—Petn for winding up presented May 28, directed to be heard before North, J., on Saturday, June 11. Maddisons, King's Arms yard, solors for petner

DAKOTA STOCK AND GRAZING CO, LIMITED.—By an order made by Chitty, J., dated May 23, it was ordered that voluntary winding up of company be continued. Brandon, Essex st, Strand, solors for petner

UNLIMITED IN CHANCERY.

CROYDON AND NORWOOD TRAMWAYS CO.—North, J., has, by an order dated May 11, appointed Edwin Waterhouse, 44, Gresham st, to be official liquidator

COUNTY PALATINE OF LANCASTER.

LIMITED IN CHANCERY

JOHN KERSHAW & CO, LIMITED.—Petn for winding up, presented May 23, directed to be heard before the Vice-Chancellor, at St. George's Hall, Liverpool, on Monday, June 13 at 11. Bullock & Worthington, Manchester, solors for company

FRIENDLY SOCIETIES DISSOLVED.

NORTH LEICESTER INDUSTRIAL AND PROVIDENT FREEHOLD LAND SOCIETY, LIMITED, 18, West Bond st, Leicester. May 20
WESLEYAN METHODIST SICK AND BURIAL SOCIETY, Wesleyan Methodist Schoolroom, Haslingden, Lancaster. May 31

London Gazette.—TUESDAY, June 7.

JOINT STOCK COMPANIES.

LIMITED IN CHANCERY.

BRITISH MANUFACTURING CORPORATION, LIMITED.—By an order made by North J., dated May 21, it was ordered that the corporation be wound up. Haynes, Finsbury sq, solor for petners
NORTHFLEET AND SWANSCOMBE BRICKFIELDS CO, LIMITED.—By an order made by Kay, J., dated April 23, it was ordered that the company be wound up. Whitfield, Finsbury pavement, solor for petner
TARBUTT'S LIQUID FUEL CO, LIMITED.—Petn for winding up, presented June 4, directed to be heard before Stirling, J., on Saturday, June 18. Kerly & Co, Great Winchester st, solors for petners
WEST LONDON COMMERCIAL BANK, LIMITED.—Creditors are required, on or before July 9, to send their names and addresses, and particulars of their debts or claims, to Alfred Augustus James, 66, Coleman st. Monday, July 18, at 11, is appointed for hearing and adjudicating upon debts and claims
WHOLESALE GROCERY CO, LIMITED.—North, J., has, by an order dated May 13 appointed William Henry Pannell, 14, Basinghall st, to be official liquidator

FRIENDLY SOCIETIES DISSOLVED.

SAINT DAVID'S LODGE, Bridge-end Inn, Howey, Llandrindod, Radnor. June 3
SHREWSBURY CO-OPERATIVE PROVIDENT SOCIETY, LIMITED, 1, Percy st, Shrewsbury, Salop. June 3
SOUTH MOLTON BENEVOLENT SICK AND BURIAL SOCIETY, 93, East st, South Molton, Devon. May 31

SUSPENDED FOR THREE MONTHS.

FRIENDLY SOCIETY, Gecler Arms Inn, Rhydlydan, nr Pentre Voelas, Denbigh. June 3

CREDITORS' NOTICES.

UNDER 22 & 23 VICT. CAP. 35.

LAST DAY OF CLAIM.

London Gazette.—TUESDAY, May 31.

ANDERTON, THOMAS, Sheffield, Tailor. July 31. Burdekin & Co, Sheffield
ANDREW, EDWYN, Shrewsbury, Doctor. June 24. Morgan, Shrewsbury
BEMAN, MARY, Cheltenham. July 9. Ticehurst & Sons, Cheltenham
BUTCHER, ROBERT, West Ham, Essex, Coach Painter. July 1. Birchall & Co' Mark lane
CLOUGH, JOSEPH, Bolton, Lancaster, Beerseller. June 27. Fielding, Bolton
COLLINGE, FREDERICK, Cheetham, nr Manchester, Gent. July 31. Walley, Manchester
CORNEWALL, FANNY HARRIET, Dover. July 1. Nicholson & Herbert, Parliament st
DALY, THOMAS JERVOISE, Erith, Kent, Retired Tradesman. July 1. Birchall & Co, Mark lane
FIELD, FREDERICK, Friern pk, Friern Barnet, Coffee Roaster. July 1. Lydall John st, Bedford row
FLETCHER, JOHN, Rochdale, Woollen Weaver. June 15. Brierley & Hudson, Rochdale
FORSTER, JANE AMELIA, Old Shirley, Southampton. Dixon, Southampton
GARLAND, CHARLES, Hinton, nr Evesham, Retired Wine Merchant. July 31. Carter & Barber, Austin friars
GIBBES, Rev HENEAGE, Plymouth. June 11. White & Co, Launceston
HARRISON, ANN, Stow, nr Gainsborough. Aug 2. Tweed & Co, Lincoln
HODGE, ANNA, Torquay. June 24. Lindop, Torquay
HODGSON, WILLIAM, Rotherham, Yorks, Gent. July 9. Marsh & Son, Rotherham
HOGBEN, STEPHEN, Dover, Cornfactor. July 16. Carder, Dover
HOWARD, SAMPSON, Tattershall, Lincoln, Farmer. Aug 2. Tweed & Co, Lincoln
LINSELL, GEORGE DARBY, Finchingfield, Essex, Grocer. June 7. Cox, Saffron Walden
MARSHALL, THOMAS, Peabody sq, Blackfriars rd, Retired Accountant's Clerk. June 30. Gibson, Hexham
MORRIS, THOMAS CHARLES, Brynmyrddin, Carmarthen, Esq. June 24. Barker & Co, Carmarthen
NICHOL, ROBERT, Leighton rd, Kentish town, Merchant. June 27. Munns & Longden, Old Jewry
OGDEN, WILLIAM, Rochdale, Grocer. June 13. Brierley & Hudson, Rochdale
PRICE, THOMAS, Wednesbury, Staffordshire, Ironmonger. June 24. Brookes, Wednesbury
READ, SAMUEL, Bromley, Kent. June 30. Latts Bros, Bartlett's bldngs, Holborn circus
RICE, MARY ANN, Leicester. June 11. Arnall, Leicester
RUSTON, WILLIAM, Catherine ct, Tower hill, Wine Merchant. June 30. Simpson & Co, Three Crown sq, Southwark
SANDERS, WILLIAM, Tettenhall, Stafford, Gent. July 7. Thorne & Co, Wolverhampton
STRANGE, MARY, Freemantle, Southampton. June 20. Robins & Son, Southampton
TOGLAND, SAMUEL, Clydesdale rd, Glentherne, New Southgate, Gent. June 28. Houghtons & Byfield, Gracechurch st

WATSON, JAMES ROBISON, Leeds, Architect. June 25. Bowling & Hirst, Leeds
WHITE, MIRIAM, Grove st, Leamington. July 1. Morris & Sons, Shrewsbury
PARKINSON, WILLIAM, Gt Eccleston, Lancaster, Yeoman. June 25. Buck & Co, Preston
WYATT, ANN ELIZABETH, Raglan, Mon. June 30. Hill, Monmouth

London Gazette.—FRIDAY, June 3.

ANSTICE, GEORGE, South Petherton, Somerset, Coal Merchant. June 21. Millard, South Petherton, Somerset
BROADRICK, LUCY, Birmingham. July 1. Rowley & Chatwin, Birmingham
CARE, JAMES, Worthenbury, Flint, Farmer. July 1. Etches, Whitchurch, Salop
DOBSON, JOHN, Bowness, Westmoreland, Coach Builder. July 16. Dobson, Kendal
GRIME, THOMAS, Tunstead mill, nr Stacksteads, Lancaster, Labourer. July 1. Knowles & Thompson, Manchester
HARRISON, HENRY, Haydock, Lancaster, Licensed Victualler. Aug 2. Oppenheim & Malkin, St Helens
HATTON, THOMAS, Loughrigg, Westmoreland, Farmer. July 16. Dobson, Kendal
HEYWOOD, ANNA MARIA, West Derby, Lancaster. July 1. Logan & Co, Liverpool
KINSMAN, MARY ANN STEER, Stoke Damerel, Devon. July 21. Gard, Devonport
KNIGHT, REBECCA, York pl, Baker st, Dressmaker. July 18. Liggins, Berners st, Oxford st
LAWRENCE, JOHN, Over Staveley, Westmoreland, Yeoman. July 16. Dobson, Kendal
LEE, CHARLES, Bramley Grange, nr Grewelthorpe, York, Land Agent. June 18. Calvert, Masham, Yorks
LIDDLE, EMMA, Newport, Salop. July 11. Liddle, Newort
LIDDLE, WILLIAM, Newport, Salop, Solicitor. July 11. Liddle, Newport
LOCKLEY, MARTHA, Newport, Salop. July 11. Liddle, Newport
LOCKLEY, WILLIAM BENTLEY, Newport, Salop, Gent. July 11. Liddle, Newport
LORD, CAROLINE ELIZA, Gaisford st, Kentish Town. July 4. Hales, Clifford's inn
MORRIS, WILLIAM, Church Ashton, nr Newport, Salop, Tailor. July 11. Liddle, Newport
NICHOLLS, HENRY JOHN, Grove lane, Camberwell, Gent. July 1. Richardson & Sadler, Golden sq
RATCLIFFE, HENRY WALTER, Florence rd, New Cross, Advertising Contractor. June 22. Waite & Co, Boston
RINGER, JOSEPH, George st, Manchester sq, Coachman. July 11. Taylor, Norfolk st, Strand
ROBERTS, WILLIAM, Liverpool, Carter. July 1. Norris & Sons, Liverpool
ROBINSON, WILLIAM, Kingston upon Hull, Gent. July 12. Walker & Harland, Hull
RODGERS, THOMAS, Ipswich, Drill Sergeant. July 18. Cobbold & Co, Ipswich
SKINNER, PRUDENCE, Station rd, Aldershot, Hotel Keeper. July 8. Eve, Aldershot
SNAPE, HELEN, Liverpool. July 1. Large, South sq, Gray's inn
TAYLOR, MARY, Norwich. June 24. Simpson, Tombland, Norwich
WATERSON, JOHN, Birmingham, Surgeon. June 30. Rowlands & Co, Birmingham
WOOD, SARAH, Sheffield. July 12. Webster & Styring, Sheffield

London Gazette.—TUESDAY, June 7.

ALLSOP, ELIZA SARAH, Park walk, Chelsea. July 31. Paine & Brettell, Chertsey
BEAVEN, JULIA, Pewsey, Wilts. July 1. Dixon, Pewsey
CARTER, EDWARD HAROLD, Birmingham, Accountant. July 4. Barlow & Co, Birmingham
COMINS, GEORGE, Ely, Cambridge, Auctioneer. July 30. Fosters & Lawrence, Cambridge
CONNOLLY, PATRICK, New Brighton, Cotton Dealer. June 22. Lynch & Teebay, Liverpool
CORBY, CECILIA, Belvedere rd, Upper Norwood. July 15. Leefe & Leefe, Quality ct, Chancery lane
CROSSE, LATYMER GEORGE, Groombridge, Sussex, Gent. July 4. Crosse, Bedford row
DANIELS, MATILDA, Warwick, Innkeeper. July 26. Handley & Brown, Warwick
GAGE, Dame HENRIETTA MARY ROKEWODE, Hengrave hall, Suffolk. Aug 6. Carlisle & Co, New sq
HARPER, BENJAMIN, Low Harrogate, York. Sept 9. Powell, Harrogate
HARPER, MARY, Low Harrogate. Sept 9. Powell, Harrogate
HEATLEY, THOMAS, Stockton on Tees, Contractor. July 5. Watson & Co, Stockton on Tees
HIRST, JAMES, Blackpool, Washing Machine Manufacturer. July 5. Longbottom & Sons, Halifax
JOCELYN, Hon AUGUSTUS GEORGE FREDERICK, Walton st. July 7. Norton & Co, Coleman st
JONES, HENRY, Burslem, Brewer's Manager. July 4. Jesse Norris, Burslem
KINGDON, ELIZA TEMPLER, Rhyl, Flint. July 9. Williams, Rhyl
LIBERTY, DANIEL, Berwick st, Pimlico, Carpenter. July 30. Ayerst, Gt College st
LOGAN, JAMES PENDER, Liverpool, Gent. Aug 2. Peacock & Co, Liverpool
MARSHALL, GEORGE, Kensington crescent, Gent. Aug 4. Rawlins, Walbrook, E.C.
ORMOND, JOHN, Bucklebury, Berks, Gent. Aug 12. Mecey & Son, Thatcham, nr Newbury, Berks
PICKFORD, WILLIAM HENRY, Portman st, Portman sq, Surgeon Major in Grenadier Guards. July 11. Heggerty, Gt George st, Westminster
SANDERS, MARY, Wolverhampton. July 4. Lane & Co, Arundel st, Strand
SCARF, THOMAS, Halifax, Dyer. July 21. Crossley, Halifax
SIMMONS, FRANCES, Harrogate. July 1. Peach, Harrogate
SUMMERS, ELIZABETH BARKLAMB, Waldrons, Croydon. Sept 29. Benson, Clement's inn, Strand
THOMAS, ELIZABETH, Mothvey, Carmarthen. July 5. Bishop, Llandovery
THOMPSON, GEORGE, Cliburn, Westmoreland, Yeoman. June 30. Bell, jun
THOMPSON, HENRY, South Kyme, Lincoln, Miller. July 1. Rodgers & Jessopp, Sleaford, Lincoln
WARMAN, JOHN, Beenham, Berks, Carpenter. July 1. Beale & Martin, Reading
WEST, ELIZABETH, Cassland rd, Hackney. Aug 2. Thompson, Mile End rd
WILSON, GEORGE, Sheffield, Gent. June 30. Swift & Ashington, Sheffield
WILSON, MATILDA ANN, Sheffield. June 30. Swift & Ashington, Sheffield
WINSDALE, ELIZABETH, Lordship lane, Tottenham. Aug 1. Champion & Sons, Ironmonger lane, E.C.

BANKRUPTCY NOTICES.

London Gazette.—FRIDAY, June 3.

RECEIVING ORDERS.

APLIN, HENRY, Combe St Nicholas, Somerset, Farmer. Taunton. Pet May 27 Ord May 28
BAKER, HENRY WILLIAM, Hamilton rd, Grove rd, Bow, Tobacco Pipe Maker. High Court. Pet May 31. Ord June 1
BAKER, RICHARD, Old Cleeve, Somerset, Hotel Proprietor. Taunton. Pet May 28. Ord May 31
BAMFORD, SAMUEL, Kettering, Builder. Northampton. Pet May 28. Ord May 28
BARNETT, CHARLES, Pembroke Dock, Grocer. Pembroke Dock. Pet May 31. Ord May 31
BAYLY, ARTHUR OCTAVIUS, Bucklersbury, Solicitor. High Court. Pet March 24. Ord May 31
BONIFACE, WILLIAM JOHN, and HENRY GEORGE BONIFACE, Southampton, Cabinet Makers. Southampton. Pet May 28. Ord May 28
CARTER, JAMES, Alresford, Essex, Blacksmith. Colchester. Pet June 1. Ord June 1
CRAWSHAW, ROBERT HENRY, Carleton, nr Pontefract, Butcher. Wakefield. Pet May 27. Ord May 27
DAVEY, GEORGE, Neath, Switchman. Neath. Pet June 1. Ord June 1
DAWES, FREDERICK, Walsall, Rope Maker. Walsall. Pet June 1. Ord June 1
DAY, GEORGE, Harpenden, Hertford, Hay Dealer. St Albans. Pet May 27. Ord May 27
DOBB, GEORGE MICHAEL, Tunstall, Stafford, Grocer. Hanley, Burslem, and Tunstall. Pet May 28. Ord May 28
FAUTLY, WILLIAM, Aldershot, Grocer. Guildford and Godalming. Pet May 28. Ord May 28
GIRVAN, ALEXANDER, Colchester, Draper, Colchester. Pet June 1. Ord June 1
GREEN, JOHN, Bolton, Grocer. Bolton. Pet May 19. Ord May 28
GREENWOOD, SAMMY, Halifax, Licensed Victualler. Halifax. Pet May 27. Ord May 27
HALL, GEORGE, Sheffield, Draper. Sheffield. Pet May 27. Ord May 27
HESLOP, ROBERT CLAYTON, Wakefield, Clerk in Holy Orders. Wakefield. Pet May 11. Ord May 28
HILL, WILLIAM, Walmer rd, Notting hill, Ironmonger. High Court. Pet June 1. Ord June 1
HOWE, ROBERT WHITWORTH, Bedford, Innkeeper. Bedford. Pet June 1. Ord June 1
KINDRED, GEORGE, Consett, Durham, Draper. Newcastle on Tyne. Pet May 21. Ord June 1
LEE, CHARLES, and LUDWIG SIMON, Cromwell avenue, Hornsey, Fine Art Publishers. High Court. Pet May 14. Ord May 27
LIGHTFOOT, CHARLES EDWARD, Netley, Hampshire, Tailor. Southampton. Pet May 18. Ord May 28
LLEWELYN, THOMAS, EDWARD LLEWELYN, and DAVID LLEWELYN, Pentre, Ystradyfodwg, Grocers. Pontypridd. Pet May 26. Ord May 26
MARKS, HENRY, Gt Eastern st, Shoreditch, Clothier. High Court. Pet June 1. Ord June 1
PERKINS, THOMAS WALTER, Chepstow, Mon, Grocer. Newport, Mon. Pet June 1. Ord June 1
POWELL, THOMAS, Hodnet, nr Market Drayton, Farmer. Nantwich and Crewe. Pet May 31. Ord May 31
PREECE, WILLIAM THOMAS, Seven Sisters' rd, Job Master. High Court. Pet June 1. Ord June 1
PRESCOTT, JOHN RICHARD, Preston, Lancs, Grocer. Preston. Pet May 26. Ord May 26
PROUDLOVE, WILLIAM, Newcastle under Lyme, Builder. Hanley, Burslem, and Tunstall. Pet May 28. Ord May 28
RANDLE, ARTHUR, Fillongley, Warwick, Baker. Coventry. Pet May 31. Ord May 31
SHEFFIELD, THOMAS NEEDHAM, Wandle rd, Upper Tooting, Solicitor. High Court. Pet June 1. Ord June 1
SLANEY, WILLIAM, Kirkby in Ashfield, Nottingham, Baker. Nottingham. Pet June 1. Ord June 1
SWINFORD, JOHN, Cheltenham, Whitesmith. Cheltenham. Pet May 28. Ord May 28
TITTNER, HILL, Birmingham, Merchant. Birmingham. Pet May 31. Ord May 31
WETHERELL, ROBINSON, Moorsley, Durham, Auctioneer. Durham. Pet May 28. Ord May 28
YEOMAN, HENRY SHEPPARD, Frome, Somerset, Draper. Frome. Pet May 16. Ord May 27

RECEIVING ORDER RESCINDED.

DAVIDSON, WOLFF, Downs pk rd, Merchant. High Court. Ord May 7. Resc May 28

FIRST MEETINGS.

APLIN, HENRY, Combe St. Nicholas, Somersetshire, Farmer. June 10 at 12.30. George Hotel, Chard
BAKER, RICHARD, Old Cleeve, Somersetshire, Hotel Proprietor. June 13 at 12.30. Egremont Hotel, Williton
BECKWITH, WALTER, Leeds, Marble Merchant. June 13 at 11. Off Rec, 22, Park row, Leeds
BEVAN, LAMBTON LEE LORAINE, and RICHARD GEORGE GUY, Fenchurch st, Timber Merchants. June 10 at 12. Bankruptcy bldgs, Lincoln's inn
BILHAM, GAZE, Stalham, Norfolk, Harness Maker. June 11 at 12. Off Rec, 8, King st, Norwich
BONNETT, WALTER GRAY, Cambridge, General Dealer. June 17 at 12. Bankruptcy bldgs, Lincoln's inn
CRANFIELD, EDWARD, Henley upon Thames, Tailor. June 20 at 3. Queen's Hotel, Reading
CRAWSHAW, ROBERT HENRY, Carleton, nr Pontefract, Butcher. June 10 at 11. Off Rec, Bond ter, Wakefield
DOBB, GEORGE MICHAEL, Tunstall, Grocer. June 10 at 11.30. Royal Hotel, Crewe
EDWARDS, FREDERICK CLINCH, Ryde, I W, Tobacconist. June 14 at 12.30. Chamber of Commerce, 145, Cheapside
EVANS, WILLIAM, Cardiff, Brick Merchant. June 17 at 3. Off Rec, 3, Crockherbtown, Cardiff
FORRESTER, JAMES, and THOMAS HONSON, Longton, Staffs, Majolica Makers. June 10 at 3. North Stafford Hotel, Stoke upon Trent
GEER, LEONARD, and GEORGE LILLINGTON, Park lane, Clapham, Builders. June 10 at 11. 33, Carey st, Lincoln's inn

GRAHAM, ROWLAND MOYSES, Gt Grimsby, Newsagent. June 15 at 12. Off Rec, 3, Haven st, Gt Grimsby
GREEN, JOHN, Bolton, Lancs, Grocer. June 10 at 11.30. 16, Wood st, Bolton
GREENWOOD, SAMMY, Halifax, Licensed Victualler. June 13 at 11. Off Rec, Halifax
HAMMOND, ISAAC, Brighton, Grocer. June 13 at 12. Off Rec, 4, Pavilion bldgs, Brighton
HARRISON, ROBSON, Tibthorpe, Yorks, Farmer. June 10 at 1. Off Rec, York
HOLMES, BENJAMIN, Otley, Yorks, Coal Merchant. June 13 at 12. Off Rec, 22, Park row, Leeds
JOHNSON, EDWIN, Swallowfield, Berks, Farmer. June 30 at 11.30. Queen's Hotel, Reading
KINDRED, GEORGE, Consett, Durham, Draper. June 14 at 10.30. Off Rec, Pink lane, Newcastle on Tyne
LANGWORTHY, EDWARD MARTIN, address unknown. June 15 at 12. 33, Carey st, Lincoln's inn
MAGNER, SELIG, Kingston upon Hull, General Dealer. June 16 at 2. Incorporated Law Society, Lincoln's inn bldgs, Bowlalley lane, Hull
MARCHANT, ROBERT MUDGE, Canonbury villas, Islington, Engineer. June 10 at 12. 33, Carey st, Lincoln's inn
MIDGLEY, JOHN, jun, Bradford, Bootmaker. June 10 at 11. Off Rec, 31, Manor row, Bradford
MORGAN, EDWIN, Newbury, Berks, Stonemason. June 29 at 12.30. Cottrell & Johnstone, 79, North Brook st, Newbury
NORRIS, WILLIAM HENRY, Bracknell, Berks, Builder. June 10 at 2. White Hart Hotel, Windsor
PARR, ALFRED, Reading, no occupation. June 30 at 1.30. Queen's Hotel, Reading
PRESCOTT, JOHN RICHARD, Preston, Grocer. June 13 at 3. Off Rec, 14, Chapel st, Preston
PROUDLOVE, WILLIAM, West Brampton, Newcastle under Lyme, Builder. June 16 at 4. Off Rec, Newcastle under Lyme
SHILCOCK, JOHN, Leicester, Corn Dealer. June 10 at 12. 28, Friar lane, Leicester
SOUTHALL, DAVID, Edgbaston, Warwickshire, Fish Dealer. June 15 at 11. 25, Colmore row, Birmingham
STIDDER, JAMES GEORGE, Southwark Bridge rd, Engineer. June 10 at 11. Bankruptcy bldgs, Lincoln's inn
SUTCLIFFE, THOMAS, Todmorden, Yorkshire, Warp Sizer. June 10 at 3.30. Queen's Hotel, Todmorden
SWINFORD, JOHN, Cheltenham, Whitesmith. June 11 at 3.30. County Court, Cheltenham
TAYLOR, EDWARD, Birmingham, Drysalter. June 14 at 11. 25, Colmore row, Birmingham
THOMAS, CATHERINE, Hakin, Milford Haven, Sailmaker. June 11 at 11. Off Rec, 11, Quay st, Carmarthen
TINSLEY, WILLIAM, Catherine st, Strand, Publisher. June 10 at 11. Bankruptcy bldgs, Lincoln's inn
TOMES, EDWARD, Shilton, near Burford, Oxfordshire, Farmer. June 18 at 11.30. Off Rec, 1, St Aldates, Oxford
WALKER, CHARLES HARRY, Cobridge, Staffs, Grocer. June 10 at 11. Royal Hotel, Crewe
WYLDE, JOSEPH, Nantwich, Cheshire, Grocer. June 10 at 12. Royal Hotel, Crewe

ADJUDICATIONS.

ADAMSON, WILLIAM BOWSER, Newcastle on Tyne, Druggist. Newcastle on Tyne. Pet May 23. Ord May 31
BAKER, RICHARD, Old Cleeve, Somerset, Hotel Proprietor. Taunton. Pet May 28. Ord May 31
BAMFORD, SAMUEL, Kettering, Builder. Northampton. Pet May 28. Ord May 28
CAMPBELL, Hon COLIN, Bryanstone sq, Barrister at Law. High Court. Pet May 9. Ord May 28
CHELLIN, HENRY, Liscard, Cheshire, Builder. Birkenhead. Pet April 27. Ord May 28
DAVEY, GEORGE, Neath, Switchman. Neath. Pet June 1. Ord June 1
DAVIES, THOMAS HANCOCK, Aberavon, Glamorgan, Grocer. Neath. Pet May 24. Ord May 28
DE GRUCHY, JAMES EDWARD, Crescent rd, South Norwood pk, Printer. High Court. Pet March 29. Ord May 28
DORR, GEORGE MICHAEL, Tunstall, Staffs, Grocer. Hanley, Burslem, and Tunstall. Pet May 28. Ord June 1
FOSBROOKE, CHARLES EDWARD, Water lane, Lower Thames st, Shipping Agent. High Court. Pet April 13. Ord May 28
GREEN, JOHN, Bolton, Lancs, Grocer. Bolton. Pet May 19. Ord June 1
GREENWOOD, SAMMY, Halifax, Licensed Victualler. Halifax. Pet May 27. Ord May 28
HAMMOND, ISAAC, Brighton, Grocer. Brighton. Pet May 26. Ord May 28
HARRISON, ROBERT, Tipthorpe, Yorks, Farmer. York. Pet May 27. Ord May 31
HARROW, HENRY, Heathfield pk, Willesden green, out of business. High Court. Pet April 14. Ord May 28
HEATON, JAMES, Canning Town, Essex, Tailor. High Court. Pet May 6. Ord May 31
HOPKINS, EDWARD, Church road, Stoke Newington, out of busines. Poole. Pet May 19. Ord May 28
KNIGHT, JAMES, Windsor ter, Holloway rd, Dealer in Oriental Goods. High Court. Pet May 25. Ord May 31
LAZARUS, SAMUEL, Hatton garden, Optician. High Court. Pet March 25. Ord May 28
LLEWELYN, THOMAS, EDWARD LLEWELYN, and DAVID LLEWELYN, Ystradyfodwg, Glamorganshire, Grocers. Pontypridd. Pet May 26. Ord May 28
MARKS, HENRY, Great Eastern st, Shoreditch, Clothier. High Court. Pet June 1. Ord June 1
MAYON, WILLIAM, Birmingham, Furniture Dealer. Birmingham. Pet May 21. Ord May 31
MELLOR, THOMAS, Sheffield, Grocer. Sheffield. Pet May 5. Ord May 27
NEALE, HARRY, Salisbury, Painter. Salisbury. Pet May 10. Ord May 28
PALMER, THOMAS WILLIAM GASCOIGNE, Cheltenham, Dental Surgeon. Cheltenham. Pet April 27. Ord May 28
PARET, JOHN PAUL, Great Sutton st, Artificial Flower Manufacturer. High Court. Pet May 10. Ord May 28
PERKINS, THOMAS WALTER, Chepstow, Mon, Grocer. Newport, Mon. Pet May 26. Ord June 1
PINCH, CHARLES, Cambridge rd, Mile End, Easy Chair Maker. High Court. Pet May 23. Ord May 31
POWELL, THOMAS, Hodnet, nr Market Drayton, Farmer. Nantwich and Crewe. Pet May 27. Ord May 31
PRESCOTT, JOHN RICHARD, Preston, Grocer. Preston. Pet May 26. Ord May 26
RICHARDSON, WILLIAM HENRY, St George's rd, Southwark, Hosier. High Court. Pet Mar 17. Ord May 20
ROBERTS, JOHN, Bournemouth, House Decorator. Poole. Pet May 13. Ord May 31
SKRAVINGTON, JAMES DRUMMOND, and JAMES SKRAVINGTON, Ilkeston, Derbyshire, Lace Makers. Derby. Pet May 12. Ord May 31
SLIGHT, JOHN BULLIVANT, King's Lynn, Clerk in Holy Orders. King's Lynn. Pet May 12. Ord May 31
SMITH, JOHN ALFRED, Falcon rd, Battersea, Cheesemonger. Wandsworth. Pet Apr 28. Ord May 26
SOUTHALL, DAVID, Edgbaston, Warwickshire, Fish Dealer. Birmingham. Pet May 16. Ord May 31
THOMAS, CATHERINE, Hakin, Milford Haven, Sailmaker. Pembroke Dock. Pet May 25. Ord June 1
THOMAS, DAVID, Carmarthen, General Merchant. Carmarthen. Pet May 26. Ord May 28
WARMSLEY, WILLIAM HARMAN, Fenchurch st, Commission Agent. High Court. Pet May 23. Ord May 28
WARWICK, HENRY, Gt Suffolk st, Borough, Bootmaker. High Court. Pet May 23. Ord May 28
WEBB, THOMAS, Cambridge rd, Bethnal green, Bootmaker. High Court. Pet May 25 Ord May 28
ZACHARY, WILLIAM FISHWICK, Walton, nr, Liverpool, Furniture Dealer. Liverpool. Pet May 13. Ord May 23

London Gazette.—TUESDAY, June 7.

RECEIVING ORDERS.

ALCOCK, THOMAS, Leamington, Shoeing Smith. Warwick. Pet June 2. Ord June 2
ARNALL, EDWARD WILLIAM, Essex rd, Islington, Hatter. High Court. Pet June 4. Ord June 4
ASH, ROSINA, Birmingham, Pawnbroker. Birmingham. Pet June 3. Ord June 3
BARLEY, SAMUEL, Aldeburgh, Suffolk, Smack Owner. Ipswich. Pet June 3. Ord June 3
BISHOP, HENRY, Dommett, nr Chard, Somerset, Dairyman. Exeter. Pet May 23. Ord June 4
BUCKLE, WILLIAM, Leeds, Tea Dealer. Leeds. Pet June 2. Ord June 2
CARTHEW, OLIVER JAMES, Exeter, Corn Merchant. Exeter. Pet May 30. Ord June 2
CLAY, ARTHUR EDWIN, Gt Yarmouth, Confectioner. Gt Yarmouth. Pet June 2. Ord June 2
COLE, GEORGE, Swansea, Boot Maker. Swansea. Pet June 3. Ord June 3
COOK, JOHN, New Brompton, Kent, Coffee Van Driver. Rochester. Pet June 2. Ord June 2
COOPER, WILLIAM WALDREN, Kegworth, Leicestershire, Grocer. Leicester. Pet June 4. Ord June 4
COPE, JOHN, Rhuddal Heath, nr Tarporley, Cheshire, Joiner. Nantwich and Crewe. Pet June 1. Ord June 4
DAVIS, TOM, Parkstone, Dorset, Builder. Poole. Pet June 3. Ord June 3
DAWSON, THOMAS, Sutton, Surrey, Carpenter. Croydon. Pet June 1 Ord June 1
DOVE, JOHN, New Clee, Lincolnshire, Smack Owner. Gt Grimsby. Pet June 1. Ord June 1
DRABBLE, CHARLES JAMES, Stratford, Essex, Draper's Assistant. High Court. Pet May 16. Ord June 4
EMERTON, ROBERT JOHN, Rickmansworth, Herts, Plumber. St. Albans. Pet June 2. Ord June 2
FORD, WILLIAM, Birmingham, Licensed Victualler. Birmingham. Pet May 5. Ord June 3
GARDINER, JOHN ROBERT, Kingston upon Hull, Draper. Kingston upon Hull. Pet May 25. Ord June 4
HOGGART, WILLIAM, Leeds, Grocer. Leeds. Pet June 2. Ord June 2
JONES, JOHN, Lambeth Walk, Fruiterer. High Court. Pet June 2. Ord June 2
LEACH, RICHARD COMYN, Cardiff, Agent. Cardiff. Pet May 2. Ord June 3
LEWIS, THOMAS, Ynyshir, Glamorganshire, Boot Maker. Pontypridd. Pet June 2. Ord June 2
PELLING, EDWARD, Southampton, Grocer. Southampton. Pet June 1. Ord June 1
PHELPS, FREDERICK, Gower pl, Euston rd, Publican. High Court. Pet May 14. Ord June 3
PLANE, HUBBARDE JOHN, Wivenhoe, Essex, no occupation. Colchester. Pet May 7. Ord June 4
RAW, HENRY THORNTON, Furnival's inn, Solicitor. High Court. Pet Feb 22. Ord June 3
RICHARDS, EDWIN, Maindee, nr Newport, Mon, Commission Agent. Newport, Mon. Pet June 2. Ord June 3
SMITH, SAMUEL, Scarborough, Stonemason. Scarborough. Pet June 2. Ord June 2
TILDESLEY, THOMAS, Newport, Salop, Grocer. Stafford. Pet May 31. Ord May 31
TOOTH, GEORGE, Nottingham, Carrier. Nottingham. Pet May 19. Ord June 3
VAN WALWYK, WILLIAM, Clerkenwell rd, Diamond Mounter. High Court. Pet June 3. Ord June 3
WALTON, MONFEITH, Wakefield, Engineman. Wakefield. Pet June 2. Ord June 2
WATERMAN, JAMES, Ramsgate, Late Grocer. Canterbury. Pet May 21. Ord June 3
WHITEHOUSE, GEORGE, Birmingham, Electro Plate Manufacturer. Birmingham. Pet June 2. Ord June 2
WHITELEY, WILLIAM HENRY, and THOMAS THORTON, Huddersfield, Dyers. Huddersfield. Pet June 2. Ord June 2
WILSON, JOHN PATERSON, Birkenhead, Licensed Victualler. Birkenhead. Pet May 12. Ord May 31
WYATT, JOHN, Coleford, Glos, out of business. Newport, Mon. Pet May 21. Ord June 2

The following amended notice is substituted for that published in the London Gazette of May 24.

WHITING, BENJAMIN WILSON, Diss, Norfolk, Builder. Ipswich. Pet May 18. Ord May 18

FIRST MEETINGS.

ALLCOCK, CHARLES, Bewdley, Worcestershire, out of business. June 14 at 12. Miller Corbett, Solicitor, Kidderminster
ALCOCK, THOMAS, Leamington, Shoeing Smith. June 15 at 3. Off Rec, 17, Hertford st, Coventry
BALBIRNIE, ALEXANDER, Stoneycroft, Lancashire, Wine Merchant. June 15 at 2. Off Rec, 35, Victoria st, Liverpool
BAMFORD, SAMUEL, Kettering, Builder. June 16 at 2.30. Royal Hotel, Kettering
BARNETT, CHARLES, Pembroke Dock, Grocer. June 14 at 11. Off Rec, 11, Quay st, Carmarthen
BILLINGHAM, WALTER, Brierley Hill, Staffordshire, Brewers' Drayman. June 14 at 3.15. Talbot Hotel, Stourbridge
BONIFACE, WILLIAM JOHN, and HENRY GEORGE BONIFACE, Southampton, Cabinet Makers. June 15 at 2.30. Off Rec, 4, East st, Southampton
BROWN, WILLIAM, High st, Stoke Newington, Draper. June 15 at 11. Bankruptcy bldgs, Portugal st, Lincoln's inn fields
CLAY, ARTHUR EDWIN, Gt Yarmouth, Confectioner. June 15 at 11. Off Rec, 8, King st, Norwich
COLE, GEORGE, Swansea, Bootmaker. June 15 at 11. Off Rec, 6, Rutland st, Swansea

COOK, JOHN, Fox st, New Brompton, Coffee Van Driver. June 16 at 11.30. Off Rec. High st, Rochester

COOKE, PHILIP, Church row, Wandsworth, Chemist. June 20 at 2. 109, Victoria st, Westminster

COSEDGE, HIRAM, Old Serjeant's inn, Chancery lane, Solicitor. June 14 at 11. Bankruptcy bldgs, Portugal st, Lincoln's inn fields

CRELLIN, HENRY, Liscard, Cheshire, Builder. June 15 at 2. Off Rec, 48, Hamilton sq, Birkenhead

DAVEY, GEORGE, Neath, Glam, Switchman. June 14 at 12. Castle Hotel, Neath

DAWES, FREDERICK, Walsall, Rope Maker. June 15 at 11.30. Off Rec, Walsall

FITTOCK, EDWIN J, Long Acre. June 16 at 11. 33, Carey st, Lincoln's inn

GOUGH, JAMES, Bristol, Baker. June 14 at 12. Off Rec, Bank chbrs, Bristol

GREEN, JOHN, Chewton Mendip, Somerset, Dairyman. July 12 at 12. Mitre Hotel, Wells

HALL, GEORGE, Sheffield, Draper. June 15 at 11.30. Off Rec, Figtree lane, Sheffield

HARRISON, JONATHAN, Seaton, nr Hornsea, Farmer. June 14 at 12. Off Rec, Lincoln's inn bldgs, Bowlalley lane, Hull

HOLDER, RICHARD, Leominster, Innkeeper. June 16 at 11.30. 18, Corn sq, Leominster

HUNT, TOM OLIVER, Leominster, Surgeon. June 16 at 10.30. 18, Corn sq, Leominster

LEACH, RICHARD COMYN, Cardiff, Entertainment Agent. June 17 at 2.30. Off Rec, 3, Crockherbtown, Cardiff

LEWIS, CHARLES, Old Town, Croydon. June 20 at 12. 109, Victoria st, Westminster

LIGHTFOOT, CHARLES EDWARD, Netley, Hants, Master Tailor. June 15 at 2. Off Rec, 4, East st Southampton

LLEWELYN, THOMAS, EDWARD LLEWELYN, and DAVID LLEWELYN, Ystradyfodwg, Glamorganshire, Grocers. June 14 at 12. Off Rec, Merthyr Tydfil

MAYNARD, HENRY N. and HENRY JOHN COOKE, Westminster chmbrs, Victoria st, Engineers. June 15 at 11. Bankruptcy bdgs, Portugal st, Lincoln's inn fields

NICHOLS, FREDERICK CHARLES, Fountain ct, Aldermanbury, Warehouseman. June 14 at 12. 33, Carey st, Lincoln's inn

PELLING, EDWARD, Southampton, Grocer. June 15 at 3. Off Rec, 4, East st, Southampton

PLOMLEY, WILLIAM, Peasmarsh, Sussex, Veterinary Surgeon. June 15 at 1. County Court, Bank bdgs, Hastings

POWELL, THOMAS, Hodnet, nr Market Drayton, Farmer. June 14 at 10.30. Corbet Arms Hotel, Market Drayton

PRICE, JOHN, Nottingham, Builder. June 14 at 12. Off Rec, 1, High pavement, Nottingham

RANDLE, ARTHUR, Fillongley, Warwick, Baker. June 15 at 12. Off Rec, 17, Hertford st, Coventry

RUFFY, ELIZABETH LOUISA, Geddington, Northampton, Spinster. June 16 at 4. Royal Hotel, Kettering

SCHOFIELD, SAMUEL ROBERT, Coleman st, Financial Agent. June 15 at 11. 33, Carey st, Lincoln's inn

SHEFFIELD, THOMAS NEEDHAM, Wandle rd, Upper Tooting, Solicitor. June 14 at 12. Bankruptcy bdgs, Portugal st, Lincoln's inn fields

SHERSON, ERROLL H S, Longridge rd, Earl's ct, Gent. June 16 at 2.30. 33, Carey st, Lincoln's inn

SLANEY, WILLIAM, Kirkby in Ashfield, Nottingham, Baker. June 14 at 11. Off Rec. 1, High pavement, Nottingham

SMITH, SAMUEL, Scarborough, Stonemason. June 14 at 11. Off Rec, 74, Newborough st, Scarborough

STRATFORD, HENRY VERNER WINGFIELD, and FRANCIS MERVYN WINGFIELD STRATFORD, Brandon st, Bermondsey. June 16 at 11. Bankruptcy bldngs, Lincoln's inn fields

WATSON, WALTER HENRY, and JOHN SIMPSON STEEL, Lilliput rd, Victoria Docks. Hardware Merchants. June 14 at 11. Bankruptcy bldngs, Lincoln's inn fields

WHITEWAY, ROBERT, Liverpool, Cab Proprietor. June 15 at 3. Off Rec, 35, Victoria st, Liverpool

WILLIAMS, CECIL HENRY JOHN, Portland st. June 16 at 12. 33, Carey st, Lincoln's inn

WILLOUGHBY, EDWIN THOMAS, Jamaica rd, Bermondsey, Printer. June 15 at 2.30. 33, Carey st, Lincoln's inn

YEOMAN, HENRY SHEPPARD, Frome, Somersetshire, Draper. June 17 at 12.45. Great Western Hotel, Paddington

ADJUDICATIONS.

BAKER, HENRY WILLIAM, Hamilton rd, Grove rd, Bow, Tobacco Pipe Maker. High Court. Pet May 31. Ord June 3

BUCKLE, WILLIAM, Leeds, Tea Dealer. Leeds. Pet June 2. Ord June 2

BURTON, GEORGE, Green st, Bethnal Green, Leather Merchant. High Court. Pet May 23. Ord June 2

CLAY, ARTHUR EDWIN, Great Yarmouth, Confectioner. Great Yarmouth. Pet June 2. Ord June 2

COOK, JOHN, New Brompton, Kent, Coffee Van Driver. Rochester. Pet June 2. Ord June 2

DAVIES, DAVID WALTER, Blaenau Festiniog, Merionethshire, Grocer. Bangor. Pet April 16. Ord June 4

DAWES, GEORGE AUGUSTUS, Instow, Devon, Gent. Barnstaple. Pet May 23. Ord June 2

DOVE, JOHN, New Clee, Lincolnshire, Smack Owner. Great Grimsby. Pet June 1. Ord June 1

FAULTY, WILLIAM, Aldershot, Grocer. Guildford and Godalming. Pet May 29. Ord June 2

FLINT, JAMES CLIFFORD, Solon rd, Brixton, Clerk. High Court. Pet May 25. Ord June 2

GOLDBERG, EPHRAIM HYMAN, Burdett rd, Bow, Wardrobe Dealer. High Court. Pet Apr 20. Ord June 2

GOUGH, JAMES, Bristol, Baker. Bristol. Pet May 27. Ord June 3

GREEN, JOHN, Chewton Mendip, Somerset, Dairyman. Wells. Pet May 31. Ord June 3

HILL, FREDERICK WILLIAM, Bournemouth, Music Seller. Poole. Pet May 12. Ord June 3

HILL, WILLIAM, Walmer rd, Notting hill, Ironmonger. High Court. Pet June 1. Ord June 3

HOGGART, WILLIAM, Leeds, Grocer. Leeds. Pet June 2. Ord June 2

HOUGHTON, HENDEN, Old Kent rd, Grocer. High Court. Pet May 25. Ord June 2

HUGHES, WILLIAM SWANSTON, Newcastle on Tyne, Merchant. Newcastle on Tyne. Pet May 16. Ord June 3

HUNTINGDON, JAMES, Newcastle on Tyne, Musical Dealer. Newcastle on Tyne. Pet May 17. Ord June 3

JONES, JOHN, Lambeth walk, Fruiterer. High Court. Pet June 2. Ord June 3

KINDRED, GEORGE, Consett, Durham, Draper. Newcastle on Tyne. Pet May 21. Ord June 2

LEACH, RICHARD COMYN, Cardiff, Entertainment Agent. Cardiff. Pet May 2. Ord June 4

LEWIS, CHARLES, Old Town, Croydon, Butcher. Croydon. Pet April 29. Ord June 2

PEACE, HENRY HORTON, Denby Dale, Yorks, out of business. Barnsley. Pet May 13. Ord June 4

SCHOFIELD, SAMUEL ROBERT, Coleman st, Financial Agent. High Court. Pet March 30. Ord June 2

SLANEY, WILLIAM, Kirkby in Ashfield, Nottingham, Baker. Nottingham. Pet June 1. Ord June 2

SMITH, SAMUEL, Scarborough, Stonemason. Scarborough. Pet June 2. Ord June 4

SWINFORD, JOHN, Cheltenham, Whitesmith. Cheltenham. Pet May 25. Ord June 2

THOMPSON, FREDERICK JOHN, Somerby, Leicester, Publican. Leicester. Pet May 21. Ord June 4

WETHERELL, ROBINSON, Moorsley, Durham, Auctioneer. Durham. Pet May 28. Ord June 4

WHITEHOUSE, GEORGE, Birmingham, Electro Plate Manufacturer. Birmingham. Pet June 2. Ord June 2

WHITEWAY, ROBERT, Liverpool, Cab Proprietor. Liverpool. Pet April 26. Ord June 2

WILSON, JOHN PATERSON, Birkenhead, Licensed Victualler. Birkenhead. Pet May 12. Ord June 3

WYATT, JOHN, Coleford, out of business. Newport, Mon. Pet May 18. Ord June 3

YEOMAN, HENRY SHEPPARD, Frome, Somerset, Draper. Frome. Pet May 25. Ord June 3

The following Amended Notice is substituted for that published in the London Gazette of May 24.

WHITING, BENJAMIN WILSON, Diss, Norfolk, Builder. Ipswich. Pet May 18. Ord May 18

ADJUDICATIONS ANNULLED.

HIGGS, JAMES, Oxford, Cab Proprietor. Oxford. Adjud Feb 23. Annul May 19

ROSE, DAVID, WILLIAN NAPOLEON ROSE, and ARTHUR THOMAS FREDERICK ROSE, Moxley, Stafford, Ironmasters. Walsall. Adjud May 22, 1883. Annul May 11

BIRTHS, MARRIAGES, AND DEATHS.

BIRTHS.

AUSTIN.—June 7, at Acol-road, West Hampstead, the wife of J. V. Austin, barrister-at-law, of a son.

FORD.—June 7, at Streatham, the wife of Edward Ford, barrister-at-law, of a daughter.

MOLONEY.—May 30, at Stamford-road, Kensington, Ada, the wife of M. Moloney, barrister-at-law, of a daughter.

MARRIAGES.

AUSTIN—ROE.—June 1, William Austin, of Luton, solicitor, to Minnie, daughter of John Chambers Roe, of Norwich.

HOPE—DALE.—June 1, Collingwood Hope, barrister-at-law, to Alice Therese, daughter of Robert Norris Dale, of Bromborough Hall, Cheshire.

NASH—JACKSON.—June 1, William Harry Nash, barrister-at-law, to Caroline Maude, daughter of Captain Millbourne Jackson, R.N.

DEATHS.

JOHNSON.—May 30, George Johnson, of 7, King's Bench-walk, Temple, aged 75 years.

ROUSE.—June 2, at Melton, Suffolk, Rolla Rouse, barrister-at-law, in his 62nd year.

SHELTON.—May 27, at Southsea, George Lane Shelton, solicitor, aged 72 years.

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